

**State Universities Civil Service System
Human Resource Directors Advisory Committee
Agenda**

February 6, 2009

- I. Welcome and Introductions
- II. Exemption Procedures
 - Presentation/Discussion of Draft Proposal
- III. Discussion and Review of Proposed Procedure Revisions
 - Classification Procedures Manual, Section 1- Classification/Examination Development
- IV. Update on Proposed Rule Revisions
 - Section 250.70(d) and (e) Trainee/Learner Appointments
 - Section 250.110(b) Leave of Absence
 - Section 250.110(e) Discharge
 - Section 250.60 Eligible Registers
- V. Pilot Program
 - Review and Discussion
- VI. Discussion on HRDAC – Format and Communications
- VII. Update on System Office Activities
 - Budget Update
 - Class Plan Activities
 - Audit Schedule
- VIII. Next Meeting – scheduled for May 1

Section 1 – General Overview of Exemption from State Universities Civil Service System

(Reference section 36e of the Act (110 ILCS 70/36e))

1.1 Overview

The State Universities Civil Service Act (Act) (110 ILCS 70/36e) states that all employees shall be covered by the State Universities Civil Service System (University System), except the following persons:

- (1) The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder;
- (2) The presidents and vice-presidents of each educational institution;
- (3) Other principal administrative employees of each institution and agency as determined by the Merit Board;
- (4) The teaching, research, and extension faculties of each institution and agency;
- (5) Students employed under rules prescribed by the Merit Board, without examination or certification.

As part of its statutory responsibility, the Merit Board has approved criteria that are to be used as guidelines for determining appropriate civil service exemptions. These criteria were originally drafted in 1972 by members of the Human Resource Directors Advisory Committee and the State Universities Civil Service Advisory Committee and circulated to all the Designated Employer Representatives and members of the University Civil Service Advisory Committee for comment and input. At that time, the Merit Board also approved an Administrative Advisory Committee's resolution recommending that the Merit Board's authority to approve exemptions based on the criteria be delegated to the Executive Director of the University System. The employer would then be allowed to appeal the Executive Director's decisions to the Merit Board. These criteria were expanded in 1975 and 1990. The current criteria for the exemption of positions provides as follows:

CRITERION A:

- (1) Whose primary duty is administrative management of a Campus or Agency division or like unit, and who reports to the Chief Executive Officer of the Campus or Agency; or
- (2) Who performs an independent administrative function and reports to the Chief Executive Officer, President, Vice-President, Chancellor, Vice Chancellor or Provost of the Campus or Agency

OR

CRITERION B:

- (1) Whose primary responsibility is the administration of an academic unit engaged in academic instruction or research (e.g., Dean, Associate and Assistant Dean, Department Head, Associate and Assistant Department Head.

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OR

CRITERION C:

- (1) Who is charged with high level administrative responsibilities and whose decisions are based on administrative policies; and
- (2) Who performs these duties with only general administrative supervision or direction and who exercises discretion and independent judgment (e.g., Director, Associate or Assistant Director)

OR

CRITERION D:

- (1) Who is in a position requiring a knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study (as distinguished from a general academic education) and which requires the consistent exercise of discretion and judgment (e.g., physician, attorney, engineer, architect, archeologist, physicist, biochemist)

In 1997 and in 1998, the Merit Board approved position standards that would allow the employer to exempt positions from civil service without prior approval from the Executive Director if the position description fits within the defined position standard. This exemption process would be subject to audit by the University System office.

The following sections contain the guidelines and criteria to be used in properly validating and designating those positions, and employees in those positions, as exempt from State Universities Civil Service System coverage, as categorically defined above. It is important to note that a significant amount of attention and careful consideration was taken to insure that these standards most accurately reflect and preserve the historical intentions of related statutory provisions and Merit Board actions.

Exemption status is determined primarily by a thorough and comprehensive review of the position description. It is therefore extremely important that employers maintain an updated, accurate and complete position description for all positions. A routine and regular position review program is necessary in order to properly assign classification designations and accurately validate exemption status.

When the standards for each exemption category was established, appropriate attention was given to insure that the examples and types of positions listed were consistent with statutory intention and Merit Board actions. At the same time, the examples and types of positions listed remain broad enough to hopefully encompass future positions that would be appropriate for designation under each category.

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Within any complex classification plan, there are instances of overlap in position specifications, assigned duties, and responsibilities. ***However, there was never any intent to permit or condone the conversion of traditional civil service positions to exempt status by virtue of the fact that the positions may appear to correspond to the general definitions of positions contained in these exemption categories. If a position description matches the specifications for any civil service classification, the position must be designated as civil service.***

Draft

Section 2 – Primary Administrator Exemptions
(President, Chancellor, Agency Executive Director)

(Reference section 36e(2) of the Act (110 ILCS 70/36e(2))

2.1 PRIMARY ADMINISTRATOR APPOINTMENTS

Top-level, primary administrator appointments are considered exempt from civil service guidelines in accordance with the State Universities Civil Service Act, Section 36(e)2. In general, these positions are typically given the final campus/agency decision-making and oversight authority by their Board or Trustees, or other Governing Body. Those directly affiliated positions that are assigned to manage and support any aspect of the primary campus/agency decision making and oversight authority may also be considered exempt in accordance with this procedure. Some common titles associated with this type of exemption include, but are not limited to, the following:

President
Chancellor
Agency Executive Director/President
Vice President
Vice Chancellor
Associate Vice President
Associate Vice Chancellor
Assistant Vice President
Assistant Vice Chancellor

The general function of these appointments should be easily discernable and includes the primary leadership and administrative authority over the entire university/agency, or primary unit thereof. Representative independent functions may include primary oversight authority over operational areas such as Academic Affairs, Affirmative Action/Diversity Resources, Administrative Affairs, Finance and Planning, Health Services, Information Systems, Institutional Advancement, Research, or Student Affairs.

It is recommended that position descriptions be properly developed and maintained in order to establish the proper administrative authority assigned to each position, and validate the exemption authorization recognized under this statutory reference. A sample position description for this type of appointment and exemption follows.

See 2.1a for examples of 36e(2) titles and corresponding position standards.

Section 3 – Principal Administrative Appointments

(Reference section 36e(3) of the Act (110 ILCS 70/36e(3))

3.1 PRINCIPAL ADMINISTRATIVE APPOINTMENTS

Principal Administrative Appointments (PAA) are considered exempt from civil service guidelines in accordance with section 36e(3) of the Act. A PAA is defined as an employee who is charged with high level administrative responsibilities, whose decisions are based on administrative policies and who exercises discretion and independent judgment. A PAA performs these duties with only general administrative supervision or direction, e.g. Director, Associate or Assistant Director. In addition, a PAA can be defined as an employee who is in a position requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study (as distinguished from a general academic education) and which requires the consistent exercise of discretion and judgment, e.g., physician, attorney, engineer, architect, ~~archeologist, physicist, biochemist~~.

The Act specifically provides that the Merit Board has the authority to determine PAAs at each institution or agency. Section 250.30(a) of the Code further defines the Merit Board's responsibility in this regard, which provides, in part, "Exemptions under Section 36e(3) of the Statute shall be by position. When approved by the Merit Board, a position shall remain exempt until such exemption is terminated by the Merit Board. The Director shall publish guidelines for such exemptions, as approved by the Merit Board."

Accordingly, position standards have been developed for a number of frequently used general titles assigned to these PAAs. These position standards function in a similar manner to civil service classification specifications. Job duties and responsibilities, as contained in the PAA position description, are analyzed and assigned to a general PAA title if they match the primary functions and major duties and responsibilities identified in the position standards.

When the position standards for these general PAA titles were developed, great care was taken to insure that they accurately described the types of work and responsibility assigned to each general PAA title previously, while at the same time, remaining broad enough to encompass future positions that may be appropriate under each general PAA title. As in any classification plan, there may be some overlap between current civil service classification specifications and the position standards under certain general PAA titles. ***It is important to remember that there was never any intent to permit or condone the conversion of traditional civil service jobs to exempt status merely by virtue of the fact that the position duties and responsibilities may appear to correspond to the general function statement of any PAA title. The prominence of position duties and responsibilities must directly correspond to the position standards contained in the general PAA title used in order to validate the exemption.***

Any position to be exempted from civil service under section 36e(3) of the Act that may be appropriately assigned to one of these general PAA titles may be exempted without prior approval

Section 3 – Principal Administrative Appointments

(Reference section 36e(3) of the Act (110 ILCS 70/36e(3))

from the University System office. However, all PAA positions are subject to audit by the Audit and Advisory Services of the University System office and possible Merit Board review.

Employers must categorize each PAA under one of the available general PAA titles. Likewise, the use of a 'working title' for each PAA position, to further compliment the general PAA title, is encouraged and may assist in more detailed position identification and distinction.

See 3.1a for examples of approved 36e(3) titles and corresponding position standards.

Following are the approved 36e(3) position titles:

Assistant Director

Assistant To

Assistant to President/Chancellor

Assistant to Vice President/Vice Chancellor/Associate Chancellor/Provost

Associate Director

Coordinator

Director

Executive Assistant to President/Chancellor

Executive Director

Physician, Attorney, Engineer, Architect

Specialist

Section 4 – Teaching, Research, and Extension Faculty Exemptions

(Reference section 36e(4) of the Act (110 ILCS 70/36(e)(4))

4.1 **TEACHING, RESEARCH, AND EXTENSION FACULTY APPOINTMENTS**

Teaching, research, and extension faculties are considered exempt from civil service guidelines in accordance with the section 36e(4) of the Act (110 ILCS 70/36e(4)). Likewise, those positions with primary administrative or supervisory responsibility of an academic unit engaged in academic instruction or research, or for a group of employees falling within this exemption category, are considered exempt in accordance with this standard. In general, these positions have direct academic or affiliated research components and are easily distinguished by these assignments and professional designations.

Experience has shown that while a number of positions reasonably appear to fall within the Criteria for Exemption from civil service, it is often unclear whether section 36e(3) of the Act (110 ILCS 70/36e(3)), “principal administrative employees . . . as determined by the Merit Board”, or section 36e(4) of the Act, “the teaching, research and extension faculties of each institution and agency”, is the appropriate exemption. Positions exempted under section 36e(4) of the Act are a matter of internal governance between a particular institution and its governing board, based on established employment protocols. These positions are not subject to any Merit Board authorization process, but are subject to Merit Board audit procedures.

It is recommended that position descriptions be properly developed and maintained in order to establish the proper academic component assigned to each position and validate the exemption authorization recognized under this statutory reference.

See 4.1a for examples of 36e(4) titles and corresponding position standards.

In attempting to provide some guidance as to the types of positions that are more appropriately exempted under section 36e(4) of the Act as opposed to Section 36e(3) of the Act, the following brief discussion regarding the application of each type of employment category enumerated in the Act under section 36e(4) [teaching, research, and extension faculties] is offered:

Positions in each of the following categories all require, at a minimum, a bachelor’s degree.

Teaching

These positions include those who provide direct classroom instruction to the institution’s students as their primary function, most specifically related to the normal academic curricula. This activity, however, is not specifically limited to those members of the tenure-track faculty (Professor, Associate Professor, and Assistant Professor), but also extends to those positions who provide direct instructional support, or academic/career planning/counseling to students as their primary function. Likewise, those positions with primary administrative or supervisory responsibility for a group of employees falling within this category are considered exempt in accordance with this standard.

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(Reference section 36e(4) of the Act (110 ILCS 70/36(e)(4))

Some common titles associated with this category include, but are not limited to, the following:

Provost
Associate Provost
Assistant Provost
College Dean
Department Chair/[Head](#)
[Assistant Dean](#)
[Associate Dean](#)
[Assistant Department Chair/Head](#)
[Associate Department Chair/Head](#)
Professor
Associate Professor
Assistant Professor
Instructor
Lecturer
Academic/Career Counselor
Athletic Coach – Head, Associate, or Assistant
Academic Coordinators – for various pre-professional and professional programs directly related to the primary academic curricula

Research

This category applies to individuals primarily engaged in research activities, normally under the direct oversight of an academic department or college and are frequently funded by outside sources. Research in this context is not necessarily limited to the laboratory work typical of the physical sciences, but may also include field historical research, linguistic studies, archaeology, etc. Such appointments may be members of the regular tenure-track faculty, but academic rank is not a prerequisite to inclusion of a particular position in this category. Likewise, those positions with primary administrative or supervisory responsibility for a group of employees falling within this category are considered exempt in accordance with this standard.

It is important to note that the specific research attachment does not automatically exempt a position from civil service regulations. In many instances, support positions whose primary function(s) can be matched to civil service classification specifications must remain civil service despite their attachment to a research program and/or funding component.

Some common titles associated with this category include, but are not limited to, the following:

Professor

Section 4 – Teaching, Research, and Extension Faculty Exemptions

(Reference section 36e(4) of the Act (110 ILCS 70/36(e)(4))

Associate Professor
Assistant Professor
Research Associate
Research Coordinator
Archeologist

Extension Faculty

This category applies to the additional instructional positions created- to provide both credit and non-credit instructional programs offered by the institution, usually outside of the normal academic curricula. The non-credit component includes instructional programs offered both on and off of the primary campus of the institution. Adult Education and Continuing Education are terms frequently used to describe these programs, which may be offered in community facilities, extension institute centers, and a variety of other settings. The instructional staff of such programs may be employed solely for the duration of the specific course(s) being offered, based on professional “real world” experience in a particular profession or industry, or may be subject-matter specialists who are employed as regular academic staff members at another educational institution. Also included are those persons with functional responsibility for a group of employees falling within this exemption category.

Some common titles associated with this category include, but are not limited to, the following:

Extension Faculty
Institute Instructors
Seminar Teachers
Adult Education Instructors
Adult Education Course Coordinators
Motor Cycle Safety Instructors

Section 5 – Student Appointment Exemptions

*Reference section 36e(5) of the Act (110 ILCS 70/36(e)5))
and
section 250.70(f) of the Illinois Administrative Code (80 Ill. Adm. Code §250.70(f))*

5.1 STUDENT APPOINTMENTS

Student Appointments are typically part-time, non-status appointments and considered exempt from Civil Service Regulations. To be eligible for a Student Appointment, a student must be enrolled for at least one-half of the normal workload of a regularly enrolled full-time student at an institution served by the University System, unless an exception is approved by the Executive Director prior to the appointment start date. Requests for exceptions shall fully explain the reasons for the request, such as graduating senior with only a limited number of hours remaining to meet graduation requirements, hardship, outside responsibilities, or other similar justification. A Request for Student Appointment Exception form shall be completed and sent to the University System Office for approval. *See Form 5.1a.*

Please refer to the section 250.70(f) of the Illinois Administrative Code (80 Ill. Adm. Code §250.70(f)) for additional guidelines related to Student Appointments.

Section 6 – Accountability for Exemption Authorization

(Reference section 36e(3) of the Act (110 ILCS 70/36e(3))

6.1 ACCOUNTABILITY PROGRAM

Although the Merit Board retains the statutory authority to approve exemptions, most specifically **36e(3)** Principal Administrative Appointments (PAA) ~~positions~~, this authority has been procedurally delegated to the Designated Employer Representative (DER) appointed at each University System employer. As a result of the delegation of exemption authority to DERs, the Executive Director of the University System is responsible for implementing an accountability program to ensure compliance with statutory and procedural guidelines in this respect, as required by section 250.130(a) of the Code. This accountability program includes three components, an internal review by the University System employer that includes a quarterly report submitted by each University System employer to the Executive Director, an external review by the University System office that includes a biennial audit process, and Merit Board review and corrective or remedial action, if necessary.

Consequently, the role of the University System office is one of oversight through audits and review of data through quarterly reports submitted by each University System employer. ***Regardless of the delegation of exemption authority, the basic statutory foundation for all employees in the University System is that they are assumed civil service unless exempted by statute.***

Section 6 – Accountability for Exemption Authorization

(Reference section 36e of the Act (110 ILCS 70/36e(3))

6.2 INTERNAL REVIEW

University System employers are required to develop and implement internal policies related to the following items:

Internal Review Process – Each employer must develop an internal position review process that will ensure efficient management of the exemption authorization process. This should include a detailed description of the internal oversight, training, review and approval, and recordkeeping components of the employer's exemption process. The internal review process must indicate that exemption requests are to be reviewed and approved by the DER, or by another delegated position with the appropriate authority provided such delegation is in writing.

Training Process – Each employer must provide training for those develop a training program for new human resource professionals that are responsible for implementing the employer's exemption authorization process. regarding the employer's internal exemption authorization process. This should include training for any administrators or employees that will prepare exemption requests for employer approval.

Internal Audit Assessment Process – Each employer must establish and implement a cyclic review program wherein all exempt positions are reviewed by the employer for currency of job content and title no less often than once every three years. Job changes of exempted positions discovered as a result of this review should be corrected immediately.

Data Report – Each employer must maintain a database of exempted positions consisting of position number, position title, exemption category, position FTE, exemption approval date or appointment date, funding source(appropriated or non-appropriated), and any prior Civil Service position title and date of Civil Service appointment. The data report need not duplicate other human resource reports that are submitted to the University System office that may contain the same information. Employers are also required to submit a quarterly headcount report (*see Example 7.1*) to the Executive Director of the University System office along with a detailed data snapshot of exemptions as described above.

Section 6 – Accountability for Exemption Authorization

(Reference section 36e of the Act (110 ILCS 70/36e))

6.3 SYSTEM OFFICE REVIEW

The Audit and Advisory Services division of the University system office will audit selected exempt positions as a regular part of their biennial audit of each University System employer. Their audit testing analysis will compare the duties contained in the position description, and performed by employees in the selected positions, against the specifications contained in the Standard Job Titles and other available classifications in the civil service classification plan system. If it is noted that significant changes have occurred in job content, suggesting a revision to the position description and corresponding employment designation, the University System employer will be requested to make appropriate corrections as described in the audit findings.

As a means of helping insure the maintenance of position changes, University System employers shall establish and implement a cyclic review program wherein position descriptions for all exempt positions are reviewed by the University System employer for currency of job content and title *no less often than once every three years*. Job changes of any exempted position discovered as a result of this review shall promptly be corrected [and reported to the University System Office](#).

In this respect, [biennial compliance](#) Audits of University System employers will include, but not be limited to;

- Comprehensive review of position descriptions
- Compliance with statutory and procedural criteria for exemptions
- Adequacy and thoroughness of related employment procedures
- Adequacy of internal review and approval processes
- Thoroughness and accuracy of quarterly reporting requirements
- Any other associated special interest items

The University System office will provide training and advice on exemption issues and questions as requested.

~~The Audit and Advisory Services of the University System office will randomly audit selected exempt jobs as a regular part of their biennial audit of each System employer and compare the duties performed by those employees against those of the Position Standard Titles. If it is noted that significant changes have occurred in job content, the System employer will be requested to make appropriate corrections as described in the audit findings.~~

~~As a means of helping insure the maintenance of job changes, System employers shall establish and implement a cyclic review program wherein all exempt jobs are reviewed by the System employer for currency of job content and title *no less often than once every three years*. Job changes of positions exempted under a Standard Job Title discovered as a result of this review~~

Section 6 – Accountability for Exemption Authorization

(Reference section 36e of the Act (110 ILCS 70/36e))

~~shall promptly be corrected. Job changes of individually exempted jobs that are discovered by this review shall promptly be reported to the University System Office as discussed previously.~~

In order to assist the Audit and Advisory Services Section of the University System office in their periodic reviews of exempt positions, employers are encouraged to utilize the following Position Description form, see Form 6.3a.

Draft

Section 6 – Accountability for Exemption Authorization

(Reference section 36e of the Act (110 ILCS 70/36e))

6.4 MERIT BOARD REVIEW

Attempts to reconcile compliance issues will always be approached by the University System office and the Merit Board in a spirit of collaboration. An employer's self-disclosure of possible noncompliance issues and good faith effort to take corrective or remedial action will not be used as a basis for any punitive action by the University System office or the Merit Board.

Upon the recommendation of the Executive Director, or upon its own initiative, the Merit Board may review noncompliance issues revealed through biennial employer audits and quarterly exemption reports. The University System office and/or Merit Board review of exemption concerns may include any action as deemed necessary to properly evaluate and reconcile the issue(s). ~~University System office and/or Merit Board review of exemption concerns may take the form of any of the following measures:~~

- ~~• Require the Executive Director to further investigate the issue.~~
- ~~• Require further written information or documents from the University System employer and/or oral presentation at a Merit Board meeting.~~
- ~~• Establish a review panel to further investigate the issues and report to the Merit Board. The Merit Board Chair may appoint experienced reviewers upon recommendation of the Executive Director to conduct a review of compliance concerns as revealed through the University System biennial audit process and/or quarterly exemption reports. The review panel will have full authority to conduct any necessary investigation and will report their findings to the University System office and/or Merit Board for final action.~~

Section 6 – Accountability for Exemption Authorization

(Reference section 36e of the Act (110 ILCS 70/36e))

6.5 REMEDIAL PROCESS

Upon the recommendation of the Executive Director of the University System office, or upon its own initiative, the Merit Board may take any necessary corrective or remedial action in an attempt to resolve~~based on~~ noncompliance issues revealed through biennial employer audits and/or quarterly exemption reports. Such corrective or remedial action may take any specific form, as designated by the Merit Board, and will be based on the severity and history of the noncompliance issue(s).

Pursuant to the Act and Code, the Merit Board may delegate its remedial authority to the Executive Director in whole or in part. Section 36d(1) of the Act authorizes the Merit Board to approve a classification plan and delegate to the Executive Director the responsibility of assigning civil service positions to the appropriate classification (see 110 ILCS 70/36d(1)). The Executive Director is also charged with the responsibility to conduct audits of system employers to ensure compliance with all provisions of the Act and Code and to contend with issues revealed through audit reports as directed by the Merit Board (see 80 Ill. Adm. Code §250.140(c)). Section 250.140(a) of the Code further provides that the Executive Director has all the authority required to implement the Act and Code and that the Merit Board may delegate any of its authority to the Executive Director by specific authorization of the Merit Board (see 80 Ill. Adm. Code §250.140(a)). ~~Corrective or remedial action may take the form of any of the following measures depending on the severity and history of the problem:~~

- ~~• Require University System employer's to receive education and training on proper position management protocols and exemption authorization standards.~~
- ~~• Require more frequent audits to determine statutory compliance.~~
- ~~• Require improperly exempted positions, and incumbents in those positions, to be changed to an appropriate civil service classification in cases where repeated findings indicate the employer continues to inappropriately exempt employees. This measure is not intended to provide a forum for contesting individual exemptions but rather it is intended as a measure that would require similar future exemption errors to be corrected at the time of the future finding rather than at the time the incumbent leaves the position.~~
- ~~• Suspend delegated authority to DERS to approve exemptions.~~
- ~~• Refer issue to an outside agency with jurisdiction to investigate and take any necessary corrective or remedial action.~~

Section 7 – Quarterly Reporting Requirements

(Reference section 36e of the Act (110 ILCS 70/36e))

7.1 REPORTING REQUIREMENTS

a. Quarterly Employee Change Report

This report shall be due no later than the 10th working day following the last working day of each quarter (September, December, March, and June) and shall include the following for each employee changed from civil service status to exempt status (see Form 7.1a):

- ◆ Employee's Name
- ◆ Date of Change
- ◆ Civil Service Class
- ◆ Department/Unit
- ◆ Exemption Title
- ◆ Exemption Category
- ◆ Department/Unit
- ◆ Reason for Change
- ◆ Status of "old" civil service position (filled/abolished/remains vacant)
- ◆ If position was filled, new employee's name and start date

b. Quarterly Report of Exempt Employees

This report shall be due no later than the 10th working day following the last working day of each quarter (September, December, March, and June) and shall include the following for both state funded and non-state funded positions (see Form 7.1b):

- ◆ Number of employees assigned to each 36e(3) Position Standard Title
- ◆ Number of employees considered exempt under Section 36e(2)
- ◆ Number of employees considered exempt under Section 36e(4)
- ◆ Grand Total of all exempt employees under Section 36e (2), (3), and (4)

c. Quarterly Data Report

This report shall be due no later than the 10th working day following the last working day of each quarter (September, December, March, and June) and shall include the following for each exempt position s the following:

- ◆ position number
- ◆ position title
- ◆ exemption category
- ◆ position FTE

Section 7 – Quarterly Reporting Requirements

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- ◆ exemption approval date or appointment date
- ◆ funding source (appropriated or non-appropriated)
- ◆ and any prior Civil Service position title and date of Civil Service appointment.

The data report need not duplicate other human resource reports that are submitted to the University System office.

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Section 8 – Other Related Actions

(Reference section 36e of the Act (110 ILCS 70/36e))

8.1 TEMPORARY ASSIGNMENT OF CIVIL SERVICE EMPLOYEE TO A ~~N~~ CIVIL SERVICE EXEMPTION POSITION

This procedure is to be used when a Civil Service employee is temporarily assigned to a [civil service](#) ~~N~~ exempt position or temporarily assigned additional duties commonly associated with a [civil service](#) ~~N~~ exempt position in addition to those regularly assigned through their Civil Service classification. The exemption assignment or additional duties may be performed on a temporary or emergent basis, including but not limited to, occasions when there is a search conducted to fill the exempt position or when an exempt employee is on an extended medical or personal leave.

Employees temporarily assigned or accepting the additional duties associated with a [civil service](#) ~~N~~ exempt position may receive additional compensation while serving in this capacity and will maintain their current classification status, as if they had remained in their current Civil Service classification during the entire temporary exempt assignment timeframe. Employees will therefore continue to accrue seniority in their current Civil Service classification and, at a minimum, retain their current compensation level while on temporary assignment to a [civil service](#) ~~N~~ exempt position and/or while performing the exempt duties.

Section 8 – Other Related Actions

(Reference section 36e of the Act (110 ILCS 70/36e))

8.2 CHANGING AN EXEMPT POSITION TO A CIVIL SERVICE POSITION

Periodic job description review and update procedures may indicate that a position originally identified as [civil service](#) exempt may have incorrectly been classified or may have changed to the point whereby a department now must convert this position, and any employee currently in this position, to an identified and appropriate Civil Service classification. The following procedure will assist each employer in converting positions, and any employee currently occupying these positions, from an exempt position to a Civil Service position.

When it has been determined and established that the job responsibilities and duties of a position do not meet the criteria for a 36(e) exemption, the employer may or may be required to change the position from an exempt position to an appropriate Civil Service appointment in a recognized classification, in accordance with the following process.

a. Establishment of Appropriate Civil Service Position

1. The employer will determine the appropriate Civil Service classification based on the defined duties and responsibilities associated with the position.
2. The employer will then establish a pay rate or range for the classification, if one has not already been established. *(Note: The classification of positions remains subject to audit review by the University System office.)*
3. The position will then be officially changed to reflect the appropriate Civil Service classification and all relevant employment protocols will be followed when filling any future vacancy in this position.

b. Transition of an exempt incumbent into a Civil Service Position

1. After converting the exempt position to a Civil Service position, any incumbent in the former exempt position will be officially moved to the designated Civil Service classification assigned to the converted position. [At the time of this action, t](#)~~The~~ employer is required to cite this procedure on ~~any the~~ [Notice of Employment](#)~~at the time of the action.~~
2. If the incumbent does not meet the minimum acceptable qualifications of the Civil Service classification assigned to the converted position, a Qualification Waiver Form must be requested and must be approved by the Executive Director. See [Example 4.11a of the Employment and Separation Procedures Manual for the appropriate form.](#) The incumbent will not be required to complete a Civil Service examination for the

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(Reference section 36e of the Act (110 ILCS 70/36e))

designated classification provided they meet the minimum acceptable qualifications and/or have obtained the approved waiver form.

3. The incumbent will be required to complete a probationary period associated with the designated Civil Service classification/position. Time served in the previous exempt position will count towards the completion of the probationary period. Some specific examples follow:

Example 1: An employee was hired ~~as~~ in an exempt position- and has served 4 months in the position. It is determined that the position should be a Civil Service classification of Human Resource Associate which has a 12-month probationary period. Upon changing the position from exempt status to Civil Service, the employee would be required to complete the 'remaining' 8 months of the 12-month probationary period.

Example 2: An employee was hired as in an exempt position- and has served 14 months in the position. It is determined that the position should be a Civil Service classification of Human Resource Associate which has a 12-month probationary period. Upon converting the position from exempt status to Civil Service, the employee would not be required to complete any additional probationary period.

4. Seniority is accrued from the date that it can reasonably be determined that the position description met the criteria (duties/responsibilities) of a Civil Service classification. This date can be determined based upon a historical evaluation of the job description for the position. In cases where there has been no significant change in the job description, seniority is accrued from the date of employment into the exempt position.
5. Upon change to the Civil Service position, the employee will also begin accruing other benefits at a rate based on their length of service with the State of Illinois.

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: State Universities Civil Service System
- 2) Code Citation: 80 Ill. Adm. Code 250
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
250.5	Amend
250.60	Amend
250.70	Amend
250.90	Amend
250.110	Amend
250.120	Amend
- 4) Statutory Authority: 110 ILCS 70
- 5) A Complete Description of the Subjects and Issues Involved: The proposed revisions to section 250.60 will reduce the time it takes to refer, interview, and employ applicants to open positions. It also intends to provide some additional flexibility in locally managing applicant registers and pools. The proposed revisions to section 250.70 combine the previous trainee and learner appointments into trainee appointments. The proposed revisions to Section 250.110 addresses two topics: 1) creating a termination and reemployment option in instances where disability benefits have been terminated and the employee still is not able to return to work, and 2) creating an alternative reinstatement with 60-day suspension order for Merit Board members in discharge cases. Sections 250.5, 250.90, and 250.120 proposed amendments are simply reference or naming changes.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None.
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No.
- 8) Does this rulemaking contain an automatic repeal date? No.
- 9) Does this rulemaking contain incorporations by reference? No.
- 10) Are there any other proposed amendments pending on this Part? No.
- 11) Statement of Statewide Policy Objectives: These proposed amendments will not create or enlarge a State mandate.

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- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments on this proposed amendment within 45 days after the date of publication to:

Mary C. Follmer
Assistant Legal Counsel
State Universities Civil Service System
1717 Philo Road, Suite 24
Urbana, IL 61802
Phone: 217/278-3150, ext. 226

- 13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

- 14) Regulatory Agenda on which this rulemaking was summarized: The agency did not anticipate this rulemaking when the recent regulatory agenda was published.

The full text of the Proposed Amendments begins on the next page:

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER VI: STATE UNIVERSITIES CIVIL SERVICE SYSTEM

PART 250

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

Section

250.5	Definitions
250.10	Purpose, Adoption, and Amendment of Rules
250.20	The State Universities Civil Service System and its Divisions
250.30	The Classification Plan
250.40	Military Service Preference, Veterans Preference
250.50	Examinations
250.60	Eligible Registers
250.70	Nonstatus Appointments
250.80	Status Appointments
250.90	Probationary Period
250.100	Reassignments and Transfers
250.110	Separations and Demotions
250.120	Seniority
250.130	Review Procedures
250.140	Delegation of Authority and Responsibilities
250.150	Training
250.160	Suspension of Rules

AUTHORITY: Implementing and authorized by the State Universities Civil Service Act [110 ILCS 70].

SOURCE: Rules: State Universities Civil Service System, approved January 16, 1952, effective January 1, 1952; amended at 3 Ill. Reg. 13, p. 68, effective April 1, 1979; amended at 4 Ill. Reg. 10, p. 262, effective February 25, 1980; amended at 6 Ill. Reg. 2620, effective February 22, 1982; amended at 6 Ill. Reg. 7236, effective June 3, 1982; amended at 8 Ill. Reg. 4948 and 4950, effective March 29, 1984; codified at 8 Ill. Reg. 12936; amended at 8 Ill. Reg. 24732, effective December 6, 1984; amended at 9 Ill. Reg. 17422, effective October 23, 1985; amended at 11 Ill. Reg. 8942, effective May 8, 1987; amended at 12 Ill. Reg. 3457, effective February 1, 1988; amended at 12 Ill. Reg. 17079, effective October 7, 1988; amended at 13 Ill. Reg. 7324, effective May 1, 1989; amended at 13 Ill. Reg. 19427, effective February 6, 1990; amended at 18 Ill. Reg. 1901, effective January 21, 1994; amended at 20 Ill. Reg. 4440, effective February 29, 1996;

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amended at 30 Ill. Reg. 17384, effective October 23, 2006; amended at 31 Ill. Reg. 15848, effective November 13, 2007; amended at 32 Ill. Reg. 17268, effective October 16, 2008; amended at 33 Ill. Reg. _____, effective _____.

Section 250.5 Definitions

"Allocation" assignment of a position to a class.

"Applicant" a person requesting permission to take an examination.

"Candidate" a person on a register, as qualified by examination, seniority, or service.

"Certification" the act of certifying.

"Certified" referred from a register, in accordance with the ActStatute, as a candidate for consideration for employment.

"Certify" to refer from a register, in accordance with the ActStatute, the name of a candidate who shall be considered for employment.

"Class" a group of positions which are so similar in duties, responsibilities, and job worth, and require such similar education and experience, that each position in the group has been given the same job title and is filled by the same tests of ability.

"Classification" assignment of a position to a class.

"Demotion" is defined in Section 250.110(g)(1) (Note for clarification: If a status employee, on his/her own initiative, requests a reassignment or a transfer to another position in his/her class or applies for, and takes, an examination and thereafter permits his/her name to be certified to a position in a class other than the one in which he/she is currently employed, and, in either case, accepts an appointment which results in a reduction in pay or pay potential, such a reduction shall not be considered a demotion.)

"Employee" a person legally employed to perform the work of a position.

"Employer" the governing Board of an institution or agency specified in Section 36e of the ActStatute; and for purposes of administration pursuant to this Part, any institution or agency specified in Section 36e of the ActStatute.

"Executive Director" refers to the Executive Director of the State Universities Civil Service System.

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"Lesser Unit" a seniority unit within a class, within an institution or agency as specified in Section 36e of the [ActStatute](#), as determined by the Merit Board, provided two-thirds of the status employees within the class have agreed to the creation of such lesser unit.

"Nonstatus Appointment" appointment of a certified candidate to a position which has been classified and approved by the [Executive](#) Director* as other than a status appointment as herein defined.

"Place of Employment" an institution or agency as specified in Section 36e of the [ActStatute](#), or a unit thereof, as determined by the Merit Board, the designation of which has been for the purposes of maintenance of registers, of computation of seniority, of establishment of pay rates or ranges, and of effecting transfers by an employer.

"Position" a group of duties and responsibilities, assigned or delegated by competent authority, requiring the full-time service of one person, or the part-time service of one or more persons.

"Reallocation" reassignment of an existing position to a class which is a part of a different promotional line, or to a class which is not a part of any promotional line.

"Reassignment" moving of an employee by an employer from one position to another in the same class within a place of employment, subject to limitations imposed by lesser units.

"Reclassification" reassignment of an existing position within a promotional line.

"Register" a list of one or more names of candidates, listed in accordance with the [ActStatute](#) and this Part.

"Resignation" an act by which an employee voluntarily separates himself/[herself](#) from his/[her](#) employment.

"Rewrite Examination" an examination for a class which is taken by an applicant subsequent to failing a previous examination for the same class, or which is taken by an applicant subsequent to passing a previous examination for the same class in an attempt to improve his/[her](#) examination score.

"Seniority" after completion of the probationary period, a term used to describe time worked in a class or in classes within the same promotional line, computed in accordance with the provisions of the [ActStatute](#) and this Part.

"Service" a term used to describe time worked in a class under a status appointment by an employee who is serving, but who has not completed, a probationary period in that class.

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"Status Appointment" appointment of a certified candidate to a position which has been classified and approved by the Executive Director as a continuing position under the position control record plan of the University System.

"Status Employee" an employee who has successfully completed a probationary period in a class.

"Status Position" a position which has been classified and approved by the Executive Director under the position control record system.

"Termination" discontinuance of services of an employee having a nonstatus appointment; discontinuance of services of an employee in one place of employment, who has transferred within the System to another place of employment; failure of a provisional employee to meet certification requirements; and/or death, retirement, or inability of an employee to return from a leave of absence in accordance with Section 250.110(c)(b)(5).

"Transfer" moving of an employee from one position to another in the same class between constituent places of employment.

"University System" refers to the State Universities Civil Service System.

~~* Director, as used in this Part, refers to the Director of the System.~~

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 250.60 Eligible Registers

a) Establishment of Registers~~-~~

- 1) The employer shall establish three kinds of registers in each place of employment in accordance with this Part: reemployment, promotional, and original entry.
- 2) The employer shall file with the office of the Executive Director of the University System (Executive Director) a list on a quarterly basis containing name, class, date of examination, examination number and score of all candidates, and these records shall constitute the master record of examinations taken by the applicants of the System for that employer.

b) Composition of Registers~~-~~

- 1) Reemployment registers shall contain names of status employees who have been laid off through reduction in force, or who, because of reallocation or reclassification of positions, or other causes not prejudicial to the service, have failed to gain eligibility

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in the new class or who have chosen not to qualify in the new class. Such registers shall have the appropriate names listed according to class and in the order of seniority as earned up to the date of eligibility for a position on the reemployment register.

- 2) Each lesser unit shall have its own reemployment register.
- 3) Promotional registers shall be by class and shall contain names in the following categories and order:
 - A) Listed in order of total service in the class
 - i) names of employees with status appointments, after having been certified from the promotional register, who have been laid off during the probationary period through reduction in force, with credit for total service as of date of layoff; or
 - ii) names of employees with status appointments, after having been certified from the promotional register and who, during the probationary period, have failed to gain eligibility following reallocation or reclassification of positions, with credit for total service as of date of ineligibility; or
 - iii) names of current employees reinstated by total service in accordance with ~~Section 250.60~~subsection (k)(j)(4).
 - B) Listed in order of promotional examination scores

names of successful candidates in accordance with Section 250.50(b).
- 4) Original entry registers shall be by class and shall contain names in the following categories and order:
 - A) Listed in order of total service to the employer

names of employees who have been, or who may be, separated from status appointments, after completion of at least six months of service to the employer, resulting from a permanent abolishment of a functional service, provided that not later than 90 days after the abolishment of the service, they have qualified for, and have received a passing score on, an original entry examination for the class; or
 - B) Listed in order of total service in the class

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- i) names of employees with status appointments, after having been certified from the original entry register, who have been laid off during the probationary period through reduction in force, with credit for total service as of date of layoff; or
 - ii) names of employees with status appointments, after having been certified from the original entry register and who, during the probationary period, have failed to gain eligibility following reallocation or reclassification of positions, with credit for total service as of date of ineligibility; or
 - iii) names of current employees reinstated by total service in accordance with ~~Section 250.60~~subsection (k)(j)(4).
- C) Listed in order of total service in the class
- i) names of former employees restored by total service in accordance with ~~Section 250.60~~subsection (k)(j)(5) ~~and Section 250.60(k)(6)~~; or
 - ii) names of employees seeking transfer, listed according to total service as of date of request for transfer.
- D) Listed in order of original entry examination scores
- names of successful candidates in accordance with Section 250.50(b) and employees seeking transfer in accordance with Section 250.100(c)(3).
- c) Precedence of Registers. For appointment purposes, registers shall have precedence in the following order: reemployment, promotional, and original entry.
- d) Certification from Registers-
- 1) Reemployment in positions shall be made in accordance with the register, with highest seniority taking precedence. From a reemployment register, the employer shall certify only one name for appointment.
 - 2) From ~~the~~ promotional ~~register~~ or original entry ~~register~~~~registers~~, the employer shall certify the three names standing highest on the register~~(s)~~ at the time the vacancy is declared, or as otherwise provided under ~~Section 250.60~~subsection (d)(3).
 - 3) When ties in scores exist on an original entry ~~register~~ or promotional register for a class, all candidates with a tie score, and hence of the same relative excellence, shall be equally eligible to be considered as one of the available candidates certified from

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the register. No person on the register shall be eligible or available for certification as one of the three persons standing highest on the register if three or more persons are eligible at a higher score level as a result of tie scores. The employer shall conduct a personal interview with, and shall consider, all candidates certified from the register in this manner prior to making ~~his~~its recommendation for selection, except that a single selecting official for the employer shall not be required to interview more than once the same candidate, as currently certified from the register, for a position of the same class.

- 4) If a total of three names is not available from the promotional ~~register~~ and/or original entry ~~register~~registers, the employer shall certify those listed, and in addition may refer enough other candidates so that the employing officer has the choice of three candidates for the position. Such additional candidates as are necessary to provide the employing officer with a choice of three must be qualified for the class of the position to which referred and may be employed in accordance with Section 250.70(b)(1) and Section 250.90(b)(6).
- 5) A promotional ~~register~~ and/or an original entry register becomes closed for the purpose of certification of the names of candidates to a particular vacant position at a time established by the employer. Once this time has been established, it must become a matter of record, and it cannot be changed unless, when this time is reached, the employer is unable to provide to the selecting official three candidates from the promotional ~~register~~ and/or original entry ~~register~~registers, and the selecting official wishes to interview three candidates prior to filling a position, whereupon a new date must be established in accordance with the aforementioned procedure. The selecting official shall interview from such registers, for any one vacancy, in accordance with the provisions of ~~Section 250.60~~subsection (d)(3).
- 6) Candidates on an eligible register may be referred concurrently to more than one vacancy in the appropriate class, if in the judgment of the employer such procedure is needed to speed up employment transactions. Total referrals to a vacant position are to be limited to three available candidates, or in accordance with the provisions of ~~Section 250.60~~subsection (d)(3).
- 7) The name of a candidate on a register, who at the time of induction into military service is an employee of an employer under the University System, shall be placed in suspension until the termination of such service, at which time his/her name shall be reactivated on the appropriate register~~(s)~~ in the order of his/her score~~(s)~~ on the original examination~~(s)~~, providing the register~~(s)~~ of the class has not been voided during the period of his/her military leave.

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- 8) In making a selection from among the three names certified from standing highest on the register, and in accordance with the provisions of ~~Section 250.60~~subsection(d)(3), the employer shall not discriminate because of race, color, religious or political affiliation, or because of age or sex, when the reasonable demands of the position do not require such a distinction.
 - 9) The Executive Director may authorize specialized position certification for eligible register candidates who possess special and identified qualifications which previously have been established as job-related requirements for a specific position as well as being fully qualified for the class. Certification from a register shall be made from the top three scores of candidates who possess the established specialized requirements.
- e) Acceptance of Candidates. The employer shall record the appointment of the candidate selected, and shall return the names passed over to the appropriate eligible register for future certification.
- f) Registers by Places of Employment-
- 1) Applicants applying for examinations will be asked to specify places of employment at which they will accept employment, except as provided for in ~~Section 250.60~~subsection(f)(4), and a statement of such place of employment preference shall constitute a refusal by the candidate of employment at other places of employment. Such statement of limited availability shall not constitute a refusal to accept an offer of employment as defined in ~~Section 250.60(h)(3)~~subsection(g)(5), or employment in the place or places of employment in which the candidate declares himself/herself available for employment. A candidate may amend his/her statements of availability at any time while his/her name is on a register.
 - 2) Following examination, a candidate may request the transfer of an active passing original entry examination score to a place of employment other than the one at which he/she originally wrote ~~his~~ the examination.
 - 3) Following examination, a candidate may request the transfer of an active passing promotional examination score to any place of employment within his/her employing institution or agency.
 - 4) In an institution with multi-campus operations, in which a central administrative unit has been established by the Merit Board as a separate place of employment, promotional registers and original entry registers for that place of employment shall be an amalgamation of all promotional registers and original entry registers, respectively, of all places of employment established for that institution.

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~~g)~~—Duration of Names on Registers.

- ~~1) Names on original entry registers may be removed when such names have remained on such registers for two consecutive years following date of most recent examination, or following date of restoral on the basis of service or seniority in accordance with Section 250.60(k)(3), (4), (5) or (6), unless a candidate is eligible for referral to a vacancy declared prior to the optional date of removal. A candidate shall be notified in writing of this optional two year limitation prior to removal.~~
- ~~2) A candidate under provisions of this Section will be granted a 30-day period of time from the date of notification during which the candidate may make a request in writing to the Designated Employer Representative to remain on the active register.~~

~~g)h)~~ Mandatory Removal of Names from Registers. The employer shall remove the names of candidates from the reemployment registers, original entry registers and promotional registers for the reasons set forth in subsections ~~(h)(g)~~(1) through ~~(6)(9)~~, inclusive, of this Section subsection. ; ~~and from promotional registers for the reasons set forth in subsections (h)(1) through (7), inclusive, of this Section.~~ Names of candidates shall be removed from reemployment registers for the reasons set forth in subsections ~~(h)(1), (3), (4), (5), (6), and (7) of this Section.~~ The reasons are:

- 1) Certification from the register to a status position in a specific class and acceptance of a status appointment in that position and class.
- ~~2) Death of the candidate. From promotional register(s) at the termination of the leave of absence from a position in his former class when a candidate accepts a position in a class outside the promotional line of the applicable register(s).~~
- ~~3) Refusal, without reasonable cause, to accept three offers of status appointment by an employer.~~
- ~~3)4)~~ Receipt of proof or determination by the Merit Board that the candidate lacks any of the required qualifications, or is subject to rejection for any cause specified in Section 250.50(c).
- ~~4)5)~~ Receipt by an employer of a written request from the candidate to remove his/her name from a register.
- ~~6) Death.~~
- ~~5) Refusal, without reasonable cause, to accept three offers of status appointment by the candidate.~~

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- ~~67)~~ Resignation of the candidate from a status position.
- ~~7)~~ Attempt by a candidate to practice any deception or fraud, in connection with an examination or application for employment.
- ~~8)~~ When a change in class or testing standards, or another classification plan change requires removal. In this instance, specific guidelines for the removal of names from registers shall be provided by the University System.
- ~~9)~~ From promotional registers at the termination of the leave of absence from a position in his/her former class when a candidate accepts a position in a class outside the promotional line of the applicable registers.

~~h)i)~~ Permissive Removal of Names from Registers. The employer may remove the names of candidates from ~~promotional and/or~~ original entry registers for the reasons set forth in subsections (1) through ~~(7)(9)~~, inclusive, of this ~~Section~~subsection; and from promotional registers for the reasons set forth in subsections (1) through (8), inclusive of this subsection. Names of candidates may be removed from reemployment registers for the reasons set forth in subsections (1) through (7), inclusive of this subsection. The reasons include but are not limited to the followingare:

- 1) Failure of a candidate to report for work without good cause within the time prescribed by the employer, after accepting a status or a temporary appointment.
- 2) Leaving the service of any employer served by the University System by an employee with a status appointment.
- 3) Failure to reply to the employer within seven calendar days immediately following an offer of a status or a temporary appointment by an employer.
- 4) Notice by postal authorities of their inability to locate candidate at his/her last known address, or verbal notice from the owner or occupant of the premises that candidate is no longer at his/her last known address and that no forwarding address has been provided.
- 5) Failure of a candidate, upon request, to furnish written evidence of availability for employment.~~Three failures, without reasonable cause, to appear for an interview in response to three separate notices of vacancy of status positions issued by the employer.~~

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- 6) Failure, without reasonable cause, to reply to the employer or appear for an interview, within a reasonable time prescribed by the employer, after a notice of a vacancy in a status or temporary position, or a letter of interest is mailed to the candidate's last known address.
 - 7) Upon the candidate's acceptance of a promotion.
 - 8) Failure of a candidate to be selected for employment after four referrals for a status appointment in the same class.
 - 97) When such names have remained on original entry registers for two consecutive years following date of most recent examination, or following date of original entry restoral on the basis of service or seniority in accordance with Section 250.60subsection ~~(k)(j)~~(3), (4), or (5), ~~or (6)~~.
- i) Notification of Candidates of Removal of Names from Registers. Candidates whose names are removed from reemployment registers, promotional registers, and/or original entry registers in accordance with subsections (g) and (h) shall be notified in writing by the employer and provided the reason for such removal on the basis of Sections 250.50(e), 250.60(h)(2), (3), and (4), and of Section 250.60(i)(1), (2), (3), (5), (6), and (7) shall be notified in writing by the employer of such removal.
- j) Restoration of Names to Registers. The employer may return to an appropriate register:
- 1) Within one year of date of removal, any name removed from a register for the reasons set forth in Section 250.60subsections (h)(g)(3) or (4), (5), or in Section 250.60subsections (i)(h)(1) through (9), inclusive of this subsection, (2), (3), (4), (5), (6), or (7).
 - 2) Any name to a reemployment register as provided for in Section 250.110(b)(G)(i)(2).
 - 3) Any name of an employee to an original entry register, or to a promotional register, who has qualified by examination and who has been laid off during his/her probationary period, in the order of length of service in the class determined in accordance with Section 250.90(b)(4) and (5).
 - 4) The name of a current employee who has been previously employed in a class for which restoral is being requested by service and/or seniority in that former class.
 - 5) ~~The name of a former status employee, who resigned because of pregnancy, upon her request, to an original entry register within six months following date of resignation and within three months following termination of the pregnancy. Upon approval of~~

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~~the employer, the name of the former employee shall be restored to the original entry register in accordance with total seniority earned as of date of resignation determined in accordance with Sections 250.90(b)(5) and 250.120(e), and subject to eligibility so established, may be reinstated thereafter to the same or similar position, or, if agreeable to the former employee, to a lower position in the promotional line. An employee so reinstated to the same or similar position, or to a lower position in the promotional line, shall have her seniority, earned in the class prior to her date of resignation, restored to her. An employee so reinstated must be physically and mentally capable of filling the position to which she is being reinstated, and may be required to pass physical or other tests to determine current fitness. An employee who did not complete her probationary period shall not be eligible to have her name restored under this Section.~~

- ~~5)6)~~ The name of a former status employee who resigned or otherwise has been separated from employment in good standing and who within ~~one year six months~~ of such resignation or such separation from employment requests restoral to a register, shall, upon approval of the employer, be restored on the original entry register in accordance with seniority earned as of the date of resignation or of such separation from employment determined in accordance with Sections 250.90(b)(5) and 250.120(e). The former employee may be required to pass physical or other tests to determine fitness at the time of restoral. Seniority earned prior to resignation shall be restored.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 250.70 Nonstatus Appointments

a) Temporary Appointments:

- 1) Temporary appointments are made to any positions which the employer certifies to be emergent, temporary, or transitory. Such appointments shall be for not more than three months. With approval of the Executive Director of the University System (Executive Director), they may be renewed in accordance with need up to a maximum of six months less one day.
- 2) An employer shall fill a temporary position by calling candidates in the same manner as for status appointments, and in accordance with Section 250.60(d). Refusal to accept, or acceptance of, a temporary appointment by a candidate shall in no way affect the candidate's position on the register, regardless of number of refusals or acceptances.
- 3) A candidate may request that he/she not be called for temporary positions.

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b) ~~Provisional Appointments-~~

- 1) In the absence of a register, an employer may make a provisional appointment, in accordance with Section 36n of "AN ACT to create the State Universities Civil Service System" (~~110 ILCS 70/36nIll. Rev. Stat. 1987, ch. 24 1/2, par. 38b13~~), providing the person so appointed possesses the qualifications for the position as stated in the appropriate class specification. In order to establish eligibility for a status appointment, the provisional appointee must file application for, and pass, the examination for the appropriate class.
- 2) A provisional employee, who has not qualified by examination, may continue to be employed, providing no candidate is available for appointment from the appropriate register.

c) ~~Apprentice Appointments-~~

- 1) An apprentice is a nonstatus employee who is employed in an occupation defined as an "apprenticeable occupation"* by the Bureau of Apprenticeship and Training, United States Department of Labor, in accordance with registered apprenticeship standards. These standards shall include, but are not necessarily limited to, criteria for screening and selection of apprentices, term of apprenticeship, requirements of related instruction, a schedule of work processes, a progressively increasing schedule of wages, periodic evaluations of the apprentice's progress, recognition for successful completion of the apprenticeship, and other requirements as established by the Joint Apprenticeship Committee governing the program in which the apprentice is enrolled and employed. The standards must meet basic requirements and be registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

AGENCY NOTE: An apprenticeable occupation is a trade or craft which is recognized as apprenticeable by the United States Department of Labor, Bureau of Apprenticeship and Training, which is customarily learned through work experience which requires 4,000 or more hours of work to learn, which requires related instruction or study to supplement the work experience, which is clearly identified and commonly recognized throughout the industry, and which involves the development of skill and knowledge sufficiently broad to be applicable in like occupations throughout an industry, and meets the standards of the area.

- 2) A program, meeting the basic fundamentals for registration, will be developed by a joint apprenticeship committee composed of employer, employee representatives, together with a representative from the Bureau of Apprenticeship and Training, for submission to, and approval by, the ~~Executive~~ Director ~~of the State Universities Civil Service System (System)~~. Following the ~~Executive~~ Director's approval, the program

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will be submitted for approval and registration to the Bureau of Apprenticeship and Training, United States Department of Labor. However, no apprentice program will be developed for a job classification for which there is an existing registered area program.

- 3) Apprentices who are individually registered in the program registered with the Bureau of Apprenticeship and Training, United States Department of Labor, may be employed without University Civil Service examination.
- 4) An apprentice who satisfactorily completes apprenticeship in accordance with the prescribed apprenticeship standards of the program in which registered, will have attained the status of journeyman. The incumbent will not be subject to University Civil Service examination and no right to continuation in employment is earned by the satisfactory completion of such apprenticeship. If employment is continued at the journeyman level, after satisfactory completion of an apprenticeship, seniority in the promotional line shall be counted from the date that the employee acquires journeyman status.

d) Trainee Appointments:-

- 1) ~~With the approval of the Executive Director, an employer may appoint a trainee. An appointment, with Trainee status, may be made by an employer, with approval of the Director, to any position in which the employer indicates acceptability of a Trainee, provided~~ all of the following criteria have been met:
 - A) ~~there are~~ no qualified candidates are available from a reemployment register or promotional register for the class; and
 - ~~B) —that the applicant lacks one or more of the minimum qualifications for the class;~~
 - BE) ~~that~~ a predetermined and scheduled program of development, training or experience has been established and, ~~as approved by the Director, is established~~ for the candidate; and
 - CD) a compensation program has been developed that provides for progressively increasing salary levels payable upon completion of defined phases of training; and that whenever the scheduled program has been completed, the applicant must apply for the original entry examination for the class and must pass such examination in order to remain in the position; and

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~~DE)~~ the employer can verify that one of the following factors exist:~~that at no time during the Trainee status period may the Trainee receive a salary which is more than 95% of the minimum of the range or of the minimum rate for the class.~~

i) the candidate lacks one or more of the minimum qualifications for the class; or

ii) recruitment efforts have failed to attract qualified candidates; or

iii) operating needs warrant ongoing training programs to supplement staffing recruitment efforts; or

iv) there is a recognized need for specialized training programs in technical or professional fields.

2) If, in the opinion of the employer, the trainee completes the prescribed training program, in accordance with the standards established by that program, he/she shall be certified to a position of the class for which he/she completed his/her training program.

32) Following successful completion of a training program and probationary period, seniority Seniority in the promotional line, or in the class, shall be counted from the date that the employee satisfactorily completes the training program and qualifies for, and passes, the examination required for the class if employment is continued.

4) An employer may have one trainee appointment in a class, however, not more than 10% of the total positions in the class having 10 or more positions may be filled by trainee appointments on any day of operation.

~~e) —Learner Appointments.~~

~~1) —An appointment, with Learner status, may be made by an employer, with approval of the Director, to a position of an entry class, except a recognized trade or craft class, in which the employer indicates acceptability of a Learner, provided~~

~~A) —there are no qualified candidates available from a reemployment register for the class;~~

~~B) —that a predetermined and scheduled program of training, not in excess of twelve months and as approved by the Director, is established for the Learner;~~

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~~C) that the Learner is accepted on the basis of a pre-employment examination provided by the System; and~~

~~D) that at no time during the Learner status period may the Learner receive a salary which is more than 95% of the minimum of the range or of the minimum rate for the class.~~

~~2) If, in the opinion of the employer, the Learner completes the prescribed training program, in accordance with examination standards established by that program, he shall be certified to a position of the class for which he completed his learning program.~~

~~3) When employment is continued on a certified basis following completion of the learning program, with or without interruption of employment by the employer, seniority in the class, following completion of a probationary period in the class, shall be counted from the date of completion of the training program and certification to the position.~~

~~4) An employer may have one Learner appointment in a class, but not more than ten percent of the total positions in a class having ten or more positions, may be filled by Learner appointments on any day of operation.~~

~~e)f)~~ Student Appointments:

1) Each employer shall determine which positions shall be designated as student positions, and when so designated, they shall be filled according to this Part and such other regulations as are established by the employer pursuant to this Part, subject to the approval of the Executive Director.

2) A student employee shall not displace a certified Civil Service employee.

3) A student, for purposes of this Part, shall be one who is registered for course work at an institution served by the University System for at least one-half of the normal workload of a regularly enrolled full-time student, as such workload is determined by the employer. Lacking such enrollment during a summer session, or summer quarter, an applicant may be considered a student for the purposes of this Part if he was enrolled as a student during the quarter or semester immediately preceding the summer session, or if he indicates his intention to be so registered during the quarter or semester immediately following such summer employment. In any case, the possession of a properly authenticated student identification card shall be deemed as providing satisfactory evidence of student status. The Executive Director may approve exceptions to this subsection~~Section~~ when sufficient cause is evidenced; such

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as, but not limited to, graduating seniors, financial hardship cases, personal or physical problems, etc.

- 4) A uniform classification plan for student employees, which shall provide groups of positions sufficiently similar in duties, responsibilities and qualifications, as to be given the same class title and to be of a similar level of job worth, shall be established by each employer, subject to the approval of the Executive Director.
- 5) Each employer shall establish a wage rate or range for each position grouping, taking into account job requirements, rates paid locally for similar work, including rates paid to Civil Service employees, consistency within the student aid program of the employer, and availability of funds. No student employee shall be paid below the minimum rate, or above the maximum rate, as established for the position grouping in which he is employed, unless approved by the Director. No maximum rate for student employment shall exceed the maximum rate established for comparable Civil Service classes on the same campus.
- 6) The employer may give applicants for student employment a screening examination, without Civil Service status, if such an examination is deemed necessary for the selection of employees.
- 7) No seniority as a Civil Service employee is earned through employment in a position designated as student.
- 8) A student employee is not eligible for paid vacation, paid holidays, or disability leave, as established by the Benefits Policy approved by the Merit Board and by the governing Boards of the institutions served by the System.
- 9) A position designated as student may be terminated at any time at the discretion of the employer.
- 10) Each employer may make such regulations and policies governing student employment on its respective campus(es) as it deems desirable, subject to the Statute and this Part governing the State Universities Civil Service System.

~~De~~ Extra Help Appointments-

- 1) An Extra Help appointment may be made, by an employer to any position for work which the employer attests to be casual or emergent in nature, and which meets the following conditions:
 - A) the amount of time for which the services are needed is not usually predictable;

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- B) payment for work performed is usually made on an hourly basis; and
 - C) the work cannot readily be assigned either on a straight-time or on an overtime basis to a status employee.
-
- 2) Qualification determination shall consist of a review of the employee's application and a verbal interview. Qualifications will be determined to be: Acceptable or Not Acceptable. Where skills are required for clerical/secretarial positions, an examination to demonstrate acceptable skills will be administered. The applicant will be required to pass the examination at a standard established by the employer. A listing of those applicants who have been determined to be Acceptable shall be maintained by the employer.
 - 3) An employer shall fill an Extra Help position by referring persons to the employing unit from the Extra Help list of Acceptable Candidates.
 - 4) Acceptance or refusal to accept an Extra Help appointment by a candidate shall in no way affect the candidate's position on any Extra Help list, or on any other register maintained by the employer.
 - 5) Classifications will be established in broad categories, such as administrative, professional, technical, clerical, trades, and service.
 - 6) An Extra Help position may be utilized for a maximum of 900 hours of actual work in any consecutive 12 calendar months. The employer shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment which is other than Extra Help, the employer shall terminate the Extra Help appointment. If an Extra Help position has accrued 900 consecutive hours, the position shall not be reestablished until six (6) months time have elapsed from the date of the termination of the position.
 - 7) Upon working 900 hours, an Extra Help employee cannot resume employment in any Extra Help appointment at a place of employment until thirty (30) calendar days have elapsed.
 - 8) The employer shall quarterly review its use of Extra Help appointments to ensure compliance with these rules.
 - 9) Compensation of Extra Help employees shall be within the limits established for comparable service in status employment.

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(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 250.90 Probationary Period

- a) Purpose of Probationary Period. The probationary period is an integral part of the examination process, and shall be utilized by the employer for close observation and evaluation of the employee's work, for obtaining the most effective adjustment of a new employee to his/her position, and to determine whether an employee demonstrates the ability and qualifications necessary to furnish satisfactory service. Periodically, throughout the probationary period, the employer should discuss with the employee his/her progress on the job. An employee who is dismissed during a probationary period shall be given the reasons for his/her dismissal, with the understanding that the reason is not reviewable.
- b) Duration of Probationary Period:
 - 1) Candidates employed from the reemployment register shall not be required to serve a new probationary period.
 - 2) An employee who has accepted a status appointment shall be on probation for no less than six months, and no longer than twelve months. If the probationary period is interrupted by a paid or unpaid leave of absence that exceeds more than five consecutive work days, a layoff, or a suspension, a comparable amount of time shall be added to the probationary period. The probationary period shall begin on the date of assignment to duty and shall expire at the close of business on the last working day which completes the probationary period for the class, regardless of percentage of time of employment during the probationary period. If such employee is not dismissed during the probationary period, such employee shall become a status employee at its conclusion.
 - 3) An employee reinstated to a register in accordance with Section 250.60~~(j)(4)~~(4), who is subsequently appointed to a position of his/her former class shall complete his/her probationary period in the former class, if he/she has not already done so.
 - 4) An employee who goes on layoff status during the probationary period, may upon written request of the employer, be reinstated by the Executive Director on either the original entry register or promotional register, as appropriate, and in accordance with total service earned as of date of layoff, and subject to eligibility so established, may be appointed thereafter to the same or similar position. Such employee, so reinstated to the same or similar position, shall complete the probationary period for the class in which eligibility has been established, although such service may be interrupted by one or more layoffs.

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- 5) Service in a higher class shall count toward completion of probationary period in a lower class in the same promotional line. Service in a lower class shall not be counted toward completion of probationary period in a higher class of the same promotional line.
- 6) A provisional employee shall begin a probationary period on the date of entrance into a status appointment for which the employee is eligible.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 250.110 Separations and Demotions

- a) Resignation. An employee, having a nonstatus or status appointment, as described in Sections 250.70 and 250.80 of this Part, may resign by presenting a signed resignation to his/her employer or by demonstrating to the employer by other means his/her intent to separate from employment. Upon receipt of a signed resignation or other evidence of intent to separate from employment, the employee will be separated from employment. An employee having a nonstatus appointment, as described in Section 250.70, may be terminated by his/her employer upon completion of the work assignment. The Executive Director of the University System (Executive Director) shall be notified promptly by the employer of all resignations ~~and terminations~~.
- b) Leave of Absence
 - 1) Leave of Absence for Classification Changes. A status employee who accepts a position that represents a promotion in a class outside his/her promotional line shall be granted a leave of absence from a position of his/her former class for the duration of any trainee, provisional, and/or probationary period in the new class. The Executive Director shall be notified promptly by the employer of all leaves of absence, military, disability, or otherwise, granted, including dates of beginning and completion of such leave which exceeds 30 calendar days of non-pay status.
 - 2) Leave of Absence for Disciplinary Actions. An employee placed on a Disciplinary Suspension or on a Suspension Pending Discharge shall be placed on a leave of absence from his/her position.
 - 3) Leave of Absence for Disability Leave
 - A) If an employee is no longer able to perform the duties and responsibilities of his/her position in the class due to a disability as determined by the employer's medical and/or psychological evaluation

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procedures, and/or in accordance with State and Federal law, the employee will be required to take disability leave in accordance with subsection (b)(3)(B).

B2) A status employee, who ~~because of disability,~~ becomes eligible for disability benefits to be paid by the employer or, as later determined, by the Illinois state retirement system to which the employee contributed, or becomes eligible for payment benefits as defined by the Worker's Compensation Act, the Illinois Occupational Disease Act, or a State self-insurance program contributes, shall be granted a disability leave. ~~The disability leave shall be —of absence for—~~ the period for which the employee ~~applies for is eligible to receive such benefits, until the time of the expiration of the benefits, or a final administrative decision denying or terminating the benefits,~~ including any gap in benefit payments between the expiration of institutional benefits and those available under the ~~approving authority retirement system, and shall be entitled to return to a position in the employee's class without any loss of status due to such disability leave, providing the employee returns upon the expiration of all disability benefits to which entitled. If, within one year following the expiration of all disability benefits, the employee requests reinstatement, with approval of the Executive Director, the employee's name may be placed on the reemployment register in the class in which the employee was employed at the time the disability leave was granted and in accordance with total seniority earned. If, within one year following the expiration of all disability benefits, the employee requests reinstatement, but because of the employee's disability is deemed unable to perform the duties in the class, the employee may be required to pass physical or other tests to determine employability under the System.~~

C3) The employer may require an employee to take a medical and/or psychological examination prior to returning to work after a disability leave. Such examination shall be conducted by a licensed practitioner selected by the employer to determine the physical and/or mental capability to perform the essential duties of the employee's position. The employer may supply the examining practitioner with facts relating t the employee's difficulty or inability to perform the essential functions of the job and may supply additional information including but not limited to physical and mental requirements of the employee's position, duty statement, job classification specification, and position description. The employee may also present an alternative opinion provided by a licensed practitioner to be selected and paid for by the employee. If there is a difference of opinion, a third outside physical will be selected by the two

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~~physicians. The employer shall pay for all examinations, except those initiated by the employee as noted above. An employer with the concurrence of two licensed physicians, one of whom to be of the employee's choice, may make the following determinations listed in subsection (b)(3)(A) or (B). If there is a difference of opinion, a third outside physician will be selected by the two physicians. The employer shall notify the employee and the Executive Director in writing of all of these actions.~~

- ~~D) An employee's refusal to submit to an examination as described in subsection (b)(e)(C), the unexcused failure to appear for such an examination or the refusal to release the results of such examination may be deemed by the employer as an acknowledgement that the employee is not fit for duty and may subject the employee to termination actions as defined in subsection (c).~~
- ~~E) A disability leave may be revoked by the employer upon evidence that the cause for granting the leave was misrepresented.~~
- ~~F) At the expiration of all disability benefits, an employee shall be entitled to return to a position in his/her class without any loss of status due to such disability leave, providing that he/she returns upon the expiration of all disability benefits to which entitled in compliance with subsection (b)(3)(B).~~
- ~~G) Reemployment~~
 - ~~i) If, an employee does not return to work at the expiration of all disability benefits and is terminated in accordance with subsection (c)(2), the employee may within one year following the expiration of all disability benefits, request reinstatement and, upon approval of the Executive Director, the employee's name may be placed on the reemployment register in the class in which he/she was employed at the time the disability leave was granted and in accordance with total seniority earned.~~
 - ~~ii) If, within one year following the expiration of all disability benefits, the employee requests reinstatement, but because of his/her disability is deemed unable to perform the duties in the class, the employee may be required to pass physical or other tests to determine employability under the University System.~~

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- 4) Military Leave of Absence. An employee shall be granted a Military Leave of Absence in accordance with State and Federal law and regulations.
- 5) The Executive Director shall be notified promptly by the employer of all leaves of absence, including military, disability, or any other leave otherwise granted. Such notification shall include the beginning and ending dates of leaves that exceed 30 calendar days of non-pay status.

c) Termination

- 1) An employee having a non-status appointment, as described in Section 250.70 of this Part, may be terminated by his/her employer at any time during the training period and/or upon completion of the work assignment, except for those status employees eligible for a leave of absence as defined in subsection (b)(1).
- 2) An employee on disability leave as defined in subsection (b)(3) who has exhausted all of his/her disability benefits and is unable to resume the duties and responsibilities of a position in his/her class, may be terminated from employment, unless the employer and employee agree on employment in a more suitable classification. Such alternative employment options shall be subject to standard civil service employment protocols.
- 3) An employee who fails to report for duty after a disability leave of absence has been denied, expired, been disapproved, revoked, or canceled by the approving authority, or any other failure to report for duty as scheduled after such a disability leave of absence, may be terminated from employment.
- 4) This notification and review process shall only apply to subsection (c)(2) and (c)(3).
 - A) The employer shall notify the employee that he/she will be terminated from the employer's service to become effective 15 calendar days from the date of mailing of the notification to the employee. The notification must be sent by certified mail or by overnight delivery serve that requires signature upon receipt to the most recent address of the employee as shown on the employer's records.
 - B) At any time period prior to the effective date of termination, the employee shall have the opportunity to provide to the employer evidence of the reason for the unauthorized absence. The employer shall revoke the termination if the employee provides satisfactory evidence of the reason for the unauthorized absence. If the employer determines that the

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evidence is not satisfactory, the employer shall notify the employee that the termination shall remain in effect.

C) Within 15 calendar days from the original date of notification of termination, the employee may request a review of the termination decision pursuant to Section 250.130 of this Part. Such review is limited to a determination of whether this section has been properly applied and whether the employer's decision is deemed arbitrary or capricious. In the event a review is not requested within the allotted timeframe, the employee's termination from service shall be effective 15 days from the original notification.

5) The employer shall notify the Executive Director promptly of all terminations of employment, setting for the reason for such action.

~~A) If an employee is no longer able to perform the duties and responsibilities of the position in the class due to a disability, the employee will be required to take disability leave; or~~

~~B) If an employee at the time of expiration of a leave for disability has exhausted all potential benefits and is unable to resume the duties and responsibilities of a position in the class, employment may be terminated unless an employer and the employee agree on employment in a more suitable classification; or~~

~~C) If an employee, at the time of expiration of leave for disability, is unwilling to return to the position from which he/she is on leave, the employee may resign or employment may be terminated.~~

~~4) A status employee shall be granted a leave of absence for pregnancy whenever the required duties of the position occupied by the employee are incompatible with the state of pregnancy, as determined by the employer, and such leave shall continue until competent medical opinion indicates that the employee is able to return to work in a position in the class in which the employee was employed prior to the leave.~~

~~5) A status employee who accepts a position that represents a promotion in a class outside his/her promotional line shall be granted a leave from a position of his/her former class for the duration of the probationary period in the new class.~~

~~6) An employee placed on Disciplinary Suspension or on Suspension Pending Discharge shall be placed on a leave of absence from his/her position.~~

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~~de~~) Layoff

- 1) The Executive Director shall be notified promptly of all employees on layoff status, together with date of beginning of layoff, and of return to employment from layoff status, when such layoff exceeds 30 consecutive work days. A status employee shall receive a written notice, at least 30 calendar days in advance of the effective date of layoff, when such layoff exceeds 30 consecutive work days; however, the effective date of layoff may be extended up to 15 days without the requirement of further notice.
- 2) Whenever it becomes necessary to lay off one or more employees, except as provided in subsection ~~(d)(e)~~(3), the employee who has the least amount of service in the class shall be laid off first, and additional layoffs shall be made in the ascending order of the place of the employee on the service and seniority lists for that class.
- 3) An employee, who is the incumbent of a position for which the Executive Director has authorized specialized certification under Section 250.60(d)(9), or who is the incumbent of a position which has previously been identified as requiring specialized training or experience as required by the position in accordance with minimum acceptable qualifications for the class may not be bumped by another employee with greater seniority unless the employee with greater seniority possesses the special and identified qualifications authorized for the incumbent's position.
- 4) Whenever it becomes necessary to reemploy one or more employees in a class, the employee last laid off by seniority shall be reemployed first, and further reemployment shall be made in the order of seniority until the reemployment register for that class is exhausted. Work of short duration requiring reemployment of one or more employees will not require a new written 15 day advance notice of layoff if the work period is to be 5 consecutive working days or less and the work is emergent in nature.
- 5) A status employee who is subject to layoff from a part-time position, may bump an employee in a full-time status position, providing the part-time employee's equivalent full-time accrued seniority based on hours in pay status is greater than that of the least senior employee in a full-time position. A full-time status employee, who is subject to layoff, may bump the least senior full-time employee, who then may bump the part-time employee having the highest percent-time appointment providing the full-time employee has more accrued seniority.

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- 6) Names of employees laid off during their probationary periods shall be returned to the register from which they were certified to their position in accordance with service in a status appointment earned as of date of layoff.

ed) Disciplinary Suspension. An employer may suspend an employee as a disciplinary measure for not more than 30 calendar days.

- 1) The employer will discuss the specific problem pertaining to contemplated suspension with the employee and the Campus Personnel Director or his designee before a suspension notice is served. The employee will be told at that time that suspension is being considered.
- 2) In imposing a disciplinary suspension, the employer shall serve a written suspension notice on the employee showing reason for the suspension, and shall immediately report the suspension to the Executive Director of the University System and shall send a copy of the notice served on the employee, along with proof of service, to the Executive Director.
- 3) Causes justifying suspension, not for discharge, shall include, but are not limited to: unauthorized and unexcused absence; leaving work without authority; failure to ring in or out on time card; habitual lateness; punching other time cards; key duplication and/or unauthorized possession of keys; misrepresentation of absence; falsification of records; refusal to do work assigned; failure to follow work schedules; failure to follow time schedules; insolence; failure to adhere to departmental regulations of appearance; smoking in prohibited areas; disregard of safety regulations; careless workmanship resulting in spoilage, waste, or delay; unauthorized use of institutional property; gambling on institutional property; creating or contributing to unsanitary conditions; horseplay or scuffling; fighting; sleeping during working hours; unauthorized visiting and "loafing on the job."

AGENCY NOTE: It is to be noted that an employee's allegation that a Disciplinary Suspension was unfairly imposed is subject to the grievance procedure established by the employing institution but is not reviewable by the Civil Service System.

fe) Discharge Proceedings and Effective Date of Discharge

- 1) Pre-discharge Proceedings
- A) Prior to initiating any proceedings before the Merit Board for the discharge of an employee, the employer shall notify the employee in

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writing, served upon the employee in person if the employee is present on the job, otherwise by certified mail or by overnight delivery service that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, of the employer's intention to initiate such proceedings. The notification shall advise the employee of the substance of the charges proposed to be filed in sufficient detail to inform the employee of the nature of the conduct on which the proposed charges are based. The notification shall also advise the employee that either or both of the following options are available to the employee:

- i) within 3 work days after service of the employer's notification, the employee may notify the employer of his/her decision to require the employer to hold a conference with the employee or his/her representative for the purposes of responding to the matters contained in the notification and of attempting to achieve a reconciliation or understanding; and
- ii) within 3 work days after service of notification, the employee may deliver to the employer a written response to the matters contained in the employer's notification; provided that, if the employee elects to require the conference identified in subsection ~~(f)(e)~~(1)(A)(i), at that conference the employee may request and receive an opportunity to respond further in writing within 3 work days after the conclusion of the conference.

B) Employer's Decision

- i) Within 7 work days after compliance with the provisions of subsection ~~(f)(e)~~(1)(A), the employer shall either:
 - notify the employee that no further action will be taken to initiate discharge proceedings with the Merit Board against the employee based solely on the matters contained in the employer's notification; or
 - initiate proceedings before the Merit Board under this subsection ~~(f)(e)~~ seeking discharge of the employee based solely on the matters contained in the employer's notification.
- ii) The employer's election not to initiate discharge proceedings

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with the Merit Board shall not preclude the employer from imposing a suspension in accordance with subsection ~~(e)(d)~~ or some lesser penalty.

- C) An employee who has been served with an employer's notification as provided in subsection ~~(f)(e)~~(1)(A) may be placed on excused absence with pay during all or any part of the period covered by this subsection ~~(f)(e)~~(1) to provide the employer an opportunity to investigate serious charges.
- 2) Actual Discharge Proceedings
- A) Proceedings before the Merit Board seeking the discharge of an employee shall be initiated by the employer filing Written Charges for Discharge with the Merit Board setting forth the causes for discharge in sufficient detail to inform the employee of the nature of the conduct on which the charges are based. The Written Charges for Discharge shall be set forth in separately numbered charges. The Written Charges for Discharge shall contain the dates, names of persons, places, and facts necessary to properly allege cause for discharge. If a breach of a statutory duty, law, or rule of the employer is alleged, the statute, law, or rule shall be cited in connection with the charge.
 - B) The Written Charges for Discharge shall be accompanied with a certification by the employer that all procedures set forth in subsection ~~(f)(e)~~(1) have been followed and that there has been full compliance with any options elected by the employee. At the time the Written Charges for Discharge and the certification are filed with the Merit Board, the employer shall serve copies upon the employee in person if the employee is present on the job; otherwise, service shall be by certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of such service with the Merit Board.
 - C) At any time prior to commencement of the hearing, the Executive Director may direct or authorize the Written Charges for Discharge to be amended to correct technical defects or to set forth additional facts or allegations related to the subject matter of the original charges. The amendments shall relate back to the original date of service of the Written Charges for Discharge. The employer shall serve copies of the Amended Written Charges for Discharge upon the employee in person if the employee is present on the job; otherwise, service shall be by

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certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of such service with the Merit Board.

- D) An employee who has been served with Written Charges for Discharge in accordance with subsections ~~(f)(e)~~(2)(A) and (B) may be suspended without pay by the employer during all or any part of the period that the discharge proceeding is pending, and until final disposition, if the employer is of the opinion that the employee's presence on the job might constitute a substantial risk of injury to life or property, or might cause a disruptive effect on employer's operations. Any suspension without pay shall become effective on the date the employer serves the Suspension Notice Pending Discharge upon the employee, which may be served with the Written Charges for Discharge or on any date thereafter. Service shall be upon the employee in person if the employee is present on the job; otherwise, service shall be by certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file with the Merit Board a copy of the Suspension Notice Pending Discharge and proof of service.

3) Hearing Request

- A) An employee who has been served with Written Charges for Discharge may request a hearing thereon by filing a written request for hearing with the Secretary for the Merit Board within 15 calendar days of the date of personal delivery or mailing of the Written Charges for Discharge to the employee. The Secretary for the Merit Board shall immediately notify the employer of the filing of the written request by the employee. Thereafter, further proceedings shall be as provided in this subsection ~~(f)(e)~~ and any discharge shall be effective on the date of the discharge order of the Merit Board, unless otherwise expressly stated in the order.
- B) If the employee does not file a written request for hearing with the Secretary for the Merit Board within 15 calendar days, the employee's discharge shall become effective at the end of the 15-day period without further action by the Merit Board. The Secretary for the Merit Board shall promptly notify the employer of the employee's failure to file a timely written request for hearing.

4) Hearing Proceedings

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- A) Upon receipt of the employee's written request for hearing on the Written Charges for Discharge, the Merit Board shall promptly appoint a Hearing Board or Hearing Officer to hear the charges and the employee's response. All hearings relating to discharge proceedings shall be convened by and conducted under the control of the Executive Director or his/her authorized representative. The Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to commence the hearing within 10 calendar days after receipt of the employee's written request for hearing, but in no event shall such hearing commence later than 45 days after service of the Written Charges for Discharge, unless a continuance is granted pursuant to subsection ~~(f)(e)~~(19)(B). Dilatory tactics or actions will not be permitted and the Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to conduct the hearings in no more than 3 hearing days, unless justice, due process, and fundamental fairness require otherwise. All hearings shall be open to the public unless, upon motion of either party, the Hearing Board or Hearing Officer finds it necessary to close the hearing or parts of the hearing in instances where personal safety is of concern or when confidential testimony/exhibits are to be referenced or revealed. There shall be a presumption that hearings will be closed only under extraordinary circumstances. A transcript of the hearing, including exhibits, shall be made and shall be filed with the Secretary for the Merit Board as soon as possible following conclusion of the hearings.
- B) Within 15 calendar days after receipt of the transcript from the Secretary for the Merit Board, the Hearing Board or Hearing Officer shall file its findings of fact and any other recommendations with the Secretary for the Merit Board, unless that time is extended by the Executive Director for good cause shown. For the purpose of this Section, good cause shall include, but not be limited to: sickness, attendance at court proceedings, death, weather conditions which prevent the members from meeting. If by that time the findings of fact have not been received by the Secretary for the Merit Board, the Executive Director will either appoint another approved Hearing Board or Hearing Officer that will then review the record and submit findings of fact within 10 calendar days after the appointment, or the Executive Director will give written notice to all Hearing Board members or the Hearing Officer and to all parties to the proceeding that he or she will, within 10 calendar days, discontinue the hearing and commence a new hearing and the present Hearing Board or Hearing Officer will be dismissed without pay. Within this 10-day

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period following the Executive Director's notice, the Hearing Board or Hearing Officer can appeal to the Executive Director by showing cause why time should be extended.

- C) The Executive Director shall certify as the Hearing Record the Written Charges for Discharge, the Suspension Notice Pending Discharge, the employee's request for hearing, the transcript and exhibits, the Hearing Board's or Hearing Officer's findings of fact and other recommendations, and other documents that have been filed.
 - D) Upon certification by the Executive Director, the Secretary for the Merit Board shall, by certified mail or by overnight delivery that requires signature upon receipt, immediately forward a copy of the Hearing Record, along with notice that the Hearing Record has been certified, to all parties of record. Any objections to the form or contents of the Hearing Record, or briefs, abstracts, or excerpts from the Hearing Record, or arguments, motions, or recommendations, relating to the hearing proceedings or the Hearing Record, or requests for further hearing or for permission to supplement further the Hearing Record by other evidence, must be filed with the Secretary for the Merit Board within 14 calendar days from the date of the postmark of the certified mail notice or the mailing date of the overnight delivery that the Hearing Record has been certified, with proof of service on all parties. No answer or reply briefs and arguments in response to the above-referenced filings will be permitted unless expressly authorized by the Executive Director or the Merit Board or its Chair.
 - E) A party requesting oral argument before the Merit Board in cases of discharge must file an appropriate motion with the Secretary for the Merit Board with notice to all parties within 14 calendar days from the date of the postmark of the certified mail notice or the mailing date of the overnight delivery of the certified hearing record, with proof of service on all parties. The motion must specifically state the issues and any relevant law that will be the subject of argument. The Merit Board will grant or deny the motion at the Merit Board meeting at which oral argument is requested. Oral argument in cases of discharge will generally not be allowed unless novel or precedent setting questions of law or policy are at issue.
- 5) Conduct of Hearing

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- A) Pre-hearing Conference. In all hearings, it is recommended that the Hearing Board or Hearing Officer hold a pre-hearing conference immediately preceding the hearing on the day of the hearing. The Hearing Board or Hearing Officer will give the parties an opportunity to discuss issues and share information at the pre-hearing conference that will allow them to present their cases in a fair, efficient, and timely manner. Generally, the Hearing Board or Hearing Officer will conduct the pre-hearing conference for the purpose of achieving one or more of the following points, as determined by the Hearing Board or Hearing Officer on a case by case basis:
 - i) defining and simplification of the issues;
 - ii) negotiating admissions or stipulations of fact to avoid unnecessary proof;
 - iii) reviewing each party's witness and exhibit list;
 - iv) limiting redundant witness testimony or duplication of evidentiary material, if necessary;
 - v) determining the length of time each party will need to present its case;
 - vi) exchanging exhibits; and
 - vii) discussing any matter that may aid in the efficient and timely disposition of the case.
 - B) Following the Pre-hearing Conference. The Hearing Board or Hearing Officer shall enter into the record any action taken and any agreements made by the parties as to the matters considered. The length and scope of the pre-hearing conference is at the discretion of the Hearing Board or Hearing Officer, but should generally be concluded within a one hour timeframe.
- 6) Order of Hearing
- A) The Executive Director, or authorized representative, shall open and convene the hearing.

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- B) The Executive Director, or authorized representative, shall request all persons who have been asked to serve as witnesses, other than a party or employer representative, to be excluded from the hearing room while the hearing is in process, except during their own testimony and cross-examination. Except as he or she might intervene, or be requested to intervene, the Executive Director, or authorized representative, shall empower the Hearing Board or Hearing Officer to proceed with the hearing in such a manner as to provide the employer and the employee a full opportunity to present their positions to the Hearing Board or Hearing Officer.
- C) The parties may make a brief opening statement at the beginning of the hearing. The employer will proceed first, followed by the employee. Opening statements may be waived or may be reserved and presented at the commencement of the party's case-in-chief.
- D) The employer will first present its case-in-chief, with an opportunity for the employee to cross-examine the employer's witnesses. The employee may be called as an adverse witness during the course of the hearing.
- E) The employee will then present his or her case-in-chief, with an opportunity for the employer to cross-examine the employee's witnesses.
- F) Each party may call rebuttal witnesses if found to be necessary by the Hearing Board or Hearing Officer.
- G) At the conclusion of the hearing, each party may make an oral closing argument. The employer may be permitted a brief rebuttal at the end of the employee's closing argument.
- H) The hearing shall be closed when the employer and the employee have had a fair and reasonable opportunity to present their positions to the Hearing Board or Hearing Officer.
- I) In addition, each party may submit written arguments, summary statements, and/or briefs within 10 calendar days after conclusion of the hearing. A copy of the written closing arguments must be provided to all parties of record and filed with the Executive Director, with proof of service included. Only written materials submitted within the 10 calendar day timeframe will be forwarded with the transcript of evidence and considered by the Hearing Board or Hearing Officer, unless otherwise extended by the Executive Director.

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7) Evidence and Motions

- A) As a general matter, the rules of evidence and privilege as applied in civil cases in the circuit courts of the State of Illinois shall be followed. However, evidence not admissible under those rules may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent persons in the investigation and conduct of serious matters of this nature. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded.
- B) All testimony will be presented under oath or affirmation. Objections to testimony or evidentiary offers will be noted in the record. Consistent with these requirements and in order to expedite the hearing, any part of the evidence may be received in written form, provided the interests of the parties are not jeopardized.
- C) The standard of proof applied by the Hearing Board or Hearing Officer when evaluating the charges will be the preponderance of the evidence.
- D) The Hearing Board or Hearing Officer may, on its own motion or upon motion of one of the parties, take notice of matters of which the circuit courts of the State of Illinois take judicial notice.
- E) The Hearing Board or Hearing Officer has the authority to rule on all motions that do not dispose of the proceedings. Examples of motions that can be ruled on by the Hearing Board or Hearing Officer are motions in limine or motions to suppress evidence. Motions directed at the Hearing Board or Hearing Officer shall be presented at the pre-hearing conference, if possible, and actions taken by the Hearing Board or Hearing Officer shall be entered into the record.
- F) Motions that dispose of the proceedings must be directed to the Merit Board. Examples of motions that are to be directed to the Merit Board are motions to dismiss, motions to decide a proceeding on the merits, or motions claiming lack of jurisdiction. Motions must be filed with the Secretary for the Merit Board within 14 calendar days from the date of the postmark of the certified Hearing Record. Motions will be ruled on by the Merit Board at the Merit Board meeting in which the case is being considered. The filing of a motion of this nature shall not be allowed to cause any delay in the proceedings.

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- G) Performance records of the employee or past disciplinary records are admissible and relevant for the purpose of mitigation or aggravation, except if otherwise excluded by a local employer policy or collective bargaining agreement.
- 8) Stipulations. Parties may agree by stipulation upon any facts involved in the hearing. The facts stipulated shall be considered as evidence in the hearing. It is the policy of the Merit Board to encourage stipulation of facts whenever practicable.
- 9) Evidence Depositions. Upon request to the Executive Director and upon good cause shown (which shall include, but is not restricted to, potential unavailability of a witness at the time the hearing is scheduled, scheduling or travel arrangement considerations, or agreement of the parties) any party may request a deposition of any witness to be taken for evidence in a hearing. If desired, subpoenas may be requested upon application to the Executive Director in a manner consistent with this Part. The deposition shall proceed in the manner provided by law for depositions in civil actions in the circuit courts of the State of Illinois.
- 10) Subpoenas. Requests for subpoenas shall be directed to the Executive Director at least five work days before the hearing, unless an exception is granted by the Executive Director. Subpoena requests may be granted if reasonably designed to produce or lead to the production of evidence related to the alleged charges and the terms of compliance are reasonable given the time frames and other circumstances. The party requesting the subpoenas shall be responsible for service and costs related to the subpoena of a witness. The fees of the witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of the State of Illinois. Subpoenas are effective throughout the course of the proceedings. Requests for subpoenas must be submitted in writing and include the following:
 - A) The name and address of the witnesses sought;
 - B) Any specific documents the witnesses will be required to bring; and
 - C) A brief statement of the relevant facts or testimony that the witnesses will be providing.
- 11) Request for Documents. Prior to the hearing, each party shall serve upon the other party and file a copy with the Secretary for the Merit Board, to be

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submitted to the Hearing Board or Hearing Officer, the following information, to the extent available at that time:

- A) A list of the names and addresses of the witnesses the party proposes to call; and
 - B) All documents the party proposes to offer in its case-in-chief.
- 12) Failure to Appear. Failure of a party to appear on the date set for hearing may result in findings of fact unfavorable to that party and may result in a loss of rights by default.
- 13) Disqualification of Assigned Hearing Board or Hearing Officer. A Hearing Board or Hearing Officer may be disqualified on grounds of bias or conflict of interest. An adverse ruling, or the fact that a Hearing Board or Hearing Officer has had contact with the University System, by itself, shall not constitute bias or conflict of interest. Whenever any party believes a Hearing Board or Hearing Officer should be disqualified from conducting an assigned proceeding, that party may file a request with the Executive Director to disqualify the Hearing Board or Hearing Officer, setting forth by affidavit the alleged grounds for disqualification, with proof of service on all parties. The Executive Director shall rule and make the final determination on all requests for disqualification.
- 14) Ex Parte Communications
- A) Except in the disposition of matters they are authorized by law to entertain or dispose of on an ex parte basis, the Merit Board, the Executive Director, employees of the University System Office, and the assigned Hearing Board or Hearing Officer shall not, after Notice of Convening of Hearing has been issued, communicate, directly or indirectly, with any party or the party's representative regarding any issue of fact or with any person or party in connection with any other issue regarding the case, except upon notice and opportunity for all parties to participate. However, the Merit Board, the Executive Director, employees of the University System, and the Hearing Board or Hearing Officer may communicate with each other. Also, members of the Merit Board and the Hearing Board or Hearing Officer may have the aid and advice of one or more personal assistants.
 - B) Communications regarding procedure, including interpretation and application of Section 360 of the State Universities Civil Service Act,

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subsection (e), and related procedures are not considered ex parte communications.

- 15) Role and Responsibilities of the Hearing Board or Hearing Officer. The Hearing Board or Hearing Officer shall be responsible for the following activities:
- A) Conduct the pre-hearing conference;
 - B) Facilitate the timely completion of the hearing process, taking necessary steps to avoid delay;
 - C) Establish reasonable limits on the duration of witness testimony;
 - D) Limit repetitive or cumulative testimony;
 - E) Rule on motions, objections or evidentiary questions;
 - F) Hear evidence as presented at the hearing by the employer and the employee on behalf of their respective positions (such evidence may include matters in aggravation, mitigation and justification, which may pertain to the question of "just cause" for discharge);
 - G) Direct questions to witnesses at any time, but restrict questioning to the clarification of the testimony already presented;
 - H) Prepare a signed findings of fact within 15 calendar days after receipt of the transcript of the hearing proceedings to be transmitted to the Merit Board. The findings of fact shall set forth each of the written charges alleged in the Written Charges for Discharge, including an evaluation of the facts presented by the employer and employee with respect to each charge, and based on this evaluation, a determination as to whether the charges are sufficiently supported by the evidence presented. The findings of fact shall be based exclusively on the evidence and on matters officially noticed. The findings of fact presented by the Hearing Board or Hearing Officer are advisory only to the Merit Board. It is not the role of the Hearing Board or Hearing Officer to determine whether just cause for discharge exists. The determination of just cause is the sole province of the Merit Board; and
 - I) Enter any order that further carries out the purpose of this Section.
- 16) Decision of the Merit Board. In the course of reaching its decision, the Merit

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~~Board may request the Executive Director to make such recommendations as he/she may deem appropriate with respect to the discharge proceedings. Nothing in these subsections (f)(16)(A) and (f)(16)(B) are intended to eliminate or limit the Merit Board's discretion to determine the appropriate disposition on a case by case basis. The Merit Board shall enter findings of fact and shall order the following decision and order or any other decision and order it deems appropriate; discharge or reinstatement of an employee with no loss of compensation, or make such other order as it deems appropriate. In the course of reaching their decision, the Merit Board may request the Executive Director to make such recommendations as he or she may deem appropriate with respect to the discharge proceedings.~~

~~A) Discharge, if just cause is found to exist. No employee shall be discharged except for just cause. Just cause is defined as some substantial shortcoming that renders the employee's continuance in his/her position in some way detrimental to the discipline and efficiency of the service and that the law and sound public opinion recognize as good cause for the employee no longer holding the position; or-~~

~~B) Reinstatement, if just cause for discharge is found not to exist. An employee shall be reinstated as follows:~~

~~i) Reinstatement with no loss of compensation when none of the significant charges are proven.~~

~~ii) Reinstatement with a 60-day suspension when the proven charges do not rise to the level of just cause for discharge but some disciplinary action is justified based on the severity of the proven charges. If the Merit Board orders reinstatement with a 60-day suspension, any time served while on suspension pending discharge will be applied towards the fulfillment of the 60-day suspension.~~

- 17) Decision and Order of the Merit Board. The Secretary for the Merit Board shall immediately forward copies of all Merit Board orders to the employer and the employee by certified mail or by overnight delivery that requires signature upon receipt. Request for a rehearing, or for a reconsideration of a Merit Board order or decision, shall not extend any appeal period for administrative review, except by express order of the Merit Board or its Chair.
- 18) Administrative Review. All final decisions of the Merit Board shall be subject to appeal by the parties to the proceedings under the Administrative Review Law

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[735 ILCS 5/Art. III]. A complaint for administrative review must be filed and summons issued within 35 days from the date that a copy of the Merit Board decision has been served upon the party affected. A decision of the Merit Board shall be deemed served either when personally delivered or when deposited in the United States mail in a sealed envelope or package, with postage paid, addressed to the party affected by the decision at his or her last known residence or place of business.

19) Time Period Proceedings

- A) On the motion of either party with notice to the other party, or by independent action of the Chair of the Merit Board or the Executive Director communicated to both parties, any time period set forth in this subsection (e) may be extended by the Chair of the Merit Board or by the Executive Director for good cause shown.
- B) No extension may be beyond a period established by statute, except for cases in which a written motion for continuance of a scheduled hearing is filed with the Secretary for the Merit Board at least 48 hours prior to the time scheduled for hearing, unless an exception is granted by the Executive Director. The moving party must set forth emergency grounds for a continuance, which are limited to unforeseen, unavoidable or uncontrollable circumstances, such as an Act of God; the sudden illness or death of the movant, a member of his or her immediate family, or his or her legal counsel; or if the movant is able to demonstrate some other real and compelling need for additional time. If there is an arrest or criminal indictment of any employee that resulted from an employee's conduct in the course of employment duties, the Executive Director, at the request of the employee, may grant a continuance of hearing pending some resolution of the criminal charges. Requests for continuances must be preceded by contacting the opposing party and asking for agreement to the continuance.
- C) The time periods set forth in this subsection ~~(f)(e)~~, except for the 15-day period set forth in subsection ~~(f)(e)~~(3)(B) and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall be deemed directory and not mandatory; and no failure to comply with any of the time periods set forth in this subsection ~~(f)(e)~~, except for the 15-day period set forth in subsection ~~(f)(e)~~(3)(B) of this Section and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall cause the Merit Board to lose jurisdiction of any matter.

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- D) If the last date for filing falls on a weekend or legal holiday, the last date for filing is the first business day following that weekend or legal holiday.
- 20) Reason for Discharge. Causes justifying discharge and any suspension during the discharge proceedings shall include, but are not limited to: all those listed as cause for suspension if they become recurring offenses; and, in addition, theft; drinking intoxicating liquors on institutional time or property; inability to perform satisfactorily assigned duties as a result of drinking alcoholic beverages; malicious damage to property, tools, or equipment; immoral or indecent conduct which violates common decency or morality; conviction of an offense involving moral turpitude; illegal or excessive use of drugs, narcotics, and/or intoxicants.
- 21) Hearing Expenses. All customary and reasonable court reporter and copying expenses incident to the preparation of the Hearing Record and providing copies thereof to parties to the proceedings shall be paid by the employer. The Merit Board shall pay all expenses of the Hearing Board or Hearing Officer and any legal expenses incurred by a Hearing Board or Hearing Officer, to the extent that such expenses have been approved by the Merit Board or its Executive Director.

gf) Demotion

- 1) Any of the actions described in subsection (g)(1)(A) through (E) is considered to be a demotion when that action has been initiated by the employer. A demotion may occur when a status employee:
- A) is subject to a reduction in salary in his/her current position, or in a position of the same class to which he/she has been reassigned, except when the reduction in pay results from an overall reduction in pay to persons employed in the same class and/or when the Merit Board, on the basis of supporting evidence, determines that the pay potential should be lowered for a class;
- B) is subject to a reduction in percentage of time worked;
- C) is appointed to a position in a lower class in a promotional line;
- D) is appointed to a position in a class outside a promotional line with a lower pay potential;
- E) is given a nonstatus appointment.

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- 2) ~~Actions Constituting Demotion~~ Any of the actions described in subsections ~~(g)(12)(A) through and (EB)~~ are not considered to be a demotion when such action has been initiated, or willingly accepted, by the employee.
- ~~A) Any of the actions described in subsection (f)(1) is considered to be a demotion when that action has been initiated by the employer.~~
- AB) ~~Such an action is not considered to be a demotion when such action has been initiated, or has been willingly accepted, by the employee.~~ Evidence of initiation by, or willing acceptance by, an employee shall be: a statement signed by the employee (to be filed by the employer with the notice of employment) indicating that the new appointment is at his/her request and/or is acceptable to him/her, or the employee applied for, and took, the Civil Service examination, upon the results of which the new appointment is based, after the date of certification to his/her most recent position.
- BE) Without the evidence indicated in subsection ~~(g)(f)(2)(A)~~, the action will be considered to have been initiated by the employer and, therefore, will be considered to be a demotion.
- 3) ~~Any classification plan changes authorized and implemented by the University System and/or the Merit Board that may result in a lower pay potential will not be considered a demotion.~~
- 43) An employer may effectuate a demotion by filing a Notice of Demotion with the Merit Board and serving a copy of said Notice of Demotion on the employee by certified mail, by overnight delivery that requires signature upon receipt, or by personally serving the employee. The Notice of Demotion shall designate the position and class to which the employee has been demoted and shall factually state the causes justifying demotion. The effective date of the demotion shall be the date of service of the Notice of Demotion upon the employee. A demotion shall be subject to the same hearing and review procedures as are provided an employee in the case of a discharge. (See subsection ~~(f)(e)~~.) During any hearing and review proceedings, the employee shall be paid the approved rate for the class of the position to which he/she has been demoted as set forth in the Notice of Demotion.
- 54) A status employee, who is demoted to a position in a class in which he/she has never been employed on a status appointment, may qualify for the position to which he/she is demoted, if his/her name is not already on an eligible register for

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that class, by taking the examination given to all other applicants for this class as promptly as possible following demotion to the class. The employee must pass the examination as a condition to retaining his/her appointment.

~~hg~~) Dismissal

- 1) An employer may dismiss an employee whose name has been certified and who has been subsequently employed in a status position, ~~except those specified in subsections (h)(2) and (3)~~, at any time during the probationary period of employment in a class, if the employer determines, pursuant to conditions of Section 250.90(a), that the employee has failed to demonstrate the ability and the qualifications necessary to furnish satisfactory service.
- 2) The employer shall notify the Executive Director promptly of dismissals, setting forth the reasons for such action.

~~h)~~ ~~Termination~~

- ~~1) A notice of termination of employment shall be used by the employer to report completion of services of a temporary, or provisional employee, retirement of an employee, death of an employee, and/or the determination of the employer that an employee is unable to resume his/her duties at the expiration of a leave of absence in accordance with subsection (b)(3).~~
- ~~2) An employer may terminate an Apprentice, a Trainee, or a Learner at any time during the period of training.~~
- ~~3) The employer shall notify the Executive Director promptly of all terminations of employment, setting forth the reasons for such action.~~

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 250.120 Seniority

a) Accumulation of Seniority:

- 1) After the completion of the probationary period, the status employee's seniority shall date from the beginning of the probationary period. Seniority is accumulated on the basis of hours in a pay status exclusive of overtime. Seniority may be accumulated in certain types of non-pay status under specified conditions as provided for in subsections (f), (g), (h) and (j).

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- 2) Seniority once earned in a class is retained during any period of continuous employment:
 - A) Except as provided for in lesser units in accordance with subsection (k)(2).
 - B) Except an employee does not retain seniority in any class from which he/she has been demoted because of unsatisfactory performance or for disciplinary reasons.
- b) Retention of Seniority. Seniority accrued in a class is retained for that class for purposes of retreat rights even though an employee accepts a position in another class outside of the promotional line.
- c) Seniority Lists. Each employer shall maintain a public and current seniority list which includes the names of all status employees in each class in order of their seniority.
- d) Ties in Seniority Lists:
 - 1) If two or more employees have the same seniority, their names shall be placed on the seniority list in the order of their scores in the examination for the position; i.e., the person with the highest score shall be first, next highest second, and continuing in descending order of their scores. Seniority between employees who receive the same score on the examination shall be determined in accordance with years of service at the place of employment, then in accordance with date of application for employment.
 - 2) If two or more employees have the same seniority in the same lesser unit subsection (d)(1) shall apply.
- e) Accumulation of Seniority, or Service, in Promotional Line. Seniority, or service, in a higher class in a promotional line may be added to seniority, or service, earned in a lower class in the same line to compute total seniority, or service, in the lower class. Seniority earned in a class shall be counted toward seniority in a lower class in the same promotional line even though the employee may not have served in the lower class. Seniority, or service, earned in a lower class in a promotional line may not be added to seniority, or service, earned in a higher class in the same line to compute total seniority, or service, in the higher class.
- f) Accumulation of Seniority during Disability. Subject to limitation imposed by subsection (h), employees accrue seniority while on leave of absence for disability, as defined in Section 250.110(b)~~(3)(2)~~ and for an occupational or work-related disability that becomes the subject of payment of income benefits as defined by the Workers' Compensation Act [820

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ILCS 305], the Workers' Occupational Diseases Act [820 ILCS 310], a State self-insurance program, or other appropriate authority.

- g) Accumulation of Seniority during Authorized Absence without Pay. An employee shall accrue seniority during approved leaves of absence without pay not exceeding a total of 30 work days within any calendar year.
- h) Accumulation of Seniority during Layoff Status. An employee continues to accrue seniority during layoff occasioned by a break in the academic calendar or during any other layoff period not in excess of 30 consecutive work days.
- i) Accumulation of Seniority during Suspension. Employees do not accrue seniority while on suspension.
- j) Accumulation of Seniority during Military Service:
 - 1) A status employee accrues seniority during leave for military service until date of separation from active military service and for 90 calendar days thereafter, if such separation is under conditions other than dishonorable.
 - 2) An employee whose name has been certified and who has not completed the probationary period at the time of approval for leave for military service, shall continue to accrue seniority in his/~~or~~ her classification for the entire time of leave for military service until the date of separation from active service and for 90 calendar days thereafter, provided the employee meets the following conditions:
 - A) the separation from active military service is under conditions other than dishonorable,
 - B) reemployment occurs in a position of the same class as that employed at the time of leave for military service, and
 - C) the probationary is satisfactorily completed in the class upon reemployment.
- k) Effect of Lesser Units on Seniority:
 - 1) Lesser units, for purposes of determining seniority, may be approved by the Merit Board, provided two-thirds of the status employees within the class involved in the approval of the lesser unit shall agree to the creation of such lesser unit. A lesser unit can be disestablished only by agreement (i.e., election) of two-thirds of all status employees in the class at the place of employment (subject to subsequent approval by the Merit Board).

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- 2) A status employee who accepts a position in a different lesser unit relinquishes seniority acquired in the previous lesser unit, but cannot be required to serve another probationary period, providing there is no change in class.
- 3) An employee in a lesser unit who accepts a temporary assignment in another lesser unit during a period of layoff does not accrue seniority in the latter unit.
- l) Effect of Vacation Time on Seniority at Time of Separation. At the time of separation, seniority shall be accrued only through the period of actual service to the employer. Payment for earned vacation time shall not be included in the seniority computation.
- m) Restoration of Seniority after Retirement. If a retired employee is reemployed within 60 days after retirement, seniority earned up to the effective date of retirement shall be restored.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

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*Sunnycrest Center
1717 Philo Road, Suite 24
Urbana, Illinois 61802-6099*



Marc Strauss
*Merit Board Chair
Lewis T. (Tom) Morelock
Executive Director*

TO: Designated Employer Representatives, Human Resources Directors,
Classification Personnel and Examination Personnel

FROM: Jeff Brownfield
Assistant Director, Operations Division

SUBJECT: Notice of Specification/Examination Revision

DATE:

Consistent with our obligation and responsibility to properly administer the classification plan for the State Universities Civil Service System, the University System Office is proposing a revision to the following classification(s):

Listing of Classification(s)

This notification is intended to inform you of the following revisions to the designated classification specifications and/or examination:

Statement of Proposed Revisions

Information relevant to this proposed revision is attached for your review and comments. This information can also be viewed on our website, www.sucss.state.il.us, under the Classification Status Notice section.

This proposal will be formally reviewed at a meeting to be conducted on DATE. You are invited to attend the meeting at the System Office or by teleconference. Conference call information will be sent prior to the meeting date along with other confidential specification/examination information. For onsite participation, other confidential information will be distributed upon arrival at the University System Office.

Please share this information with appropriate parties as necessary. Please contact NAME at 217.278.3150, ext. NUMBER or by email at ADDRESS by DATE if your university/agency plans to participate in the Class Specification and Examination Review Meeting/Conference Call.

Please be prepared to indicate the method of participation and provide a detailed list of attendees.

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Merit Board Chair
Lewis T. (Tom) Morelock
Executive Director

TO: Designated Employer Representatives, Human Resources Directors,
Classification Personnel and Testing Personnel

FROM: **NAME**
Operations Division

RE: Final Status Notice

DATE:

Consistent with our obligation to administer and maintain the University System classification plan, this communication shall provide the final notification and effective date of revisions to the following classification(s):

Classification(s)

The following revisions shall become effective as indicated below:

Statement or table listing changes, effective dates, and other relevant information

Please contact **NAME** at the University System Office by calling 217.278.3150, ext. **NUMBER**, or email at **ADDRESS** if you need additional information.

Example 2.1a

Standard Title: **AGENCY EXECUTIVE DIRECTOR/PRESIDENT**

PRIMARY ADMINISTRATIVE POSITION EXEMPTION (36e(2))

◆ **General Function Statement**

Provide administrative leadership and oversight to an affiliated agency or institution with multiple reporting components in collaboration with the University System. Is responsible for agency-wide functions and for directing activities of affiliated organizations, partnerships, state or federal programs.

◆ **Organization Relationship**

Organization Board of Directors
Executive Director
 Directors
 Associate/Assistant Directors
 Professional Staff (Coordinators/Specialists/Managers/Analysts)
 Technical, Clerical Support Staff

◆ **Request for Exemption under Criterion:**

◆ **Typical Responsibilities**

1. Provide executive leadership to develop and administer a comprehensive program and activities to fulfill the role of the office, function, or organization.
2. Interface with Board of Directors and Advisory Committees to direct collaborative efforts between other institutions, organization or projects and programs affiliated with a campus or university. Chair and convene committees and provide leadership and support to Board of Directors and advisory groups.
3. Ensure provisions of contractual agreements between campus/university and relevant outside programs or organization.
4. Oversee financial management, including control of the budget and allocation of resources. Budgets may be large and include major federal or state grants or private funds.
5. Formulate, establish and implement administrative policies applicable to the organizations, or those applicable campus or university-wide.
6. Provide professional expertise and leadership.
7. Provide management reports, analyses, data and information for administrative purposes.
8. Direct the staffing by overseeing recruitment, training, and management of work assigned to professionals and support staff.

Example 2.1a

Standard Title: ASSISTANT VICE PRESIDENT/~~ASSISTANT PROVOST/~~ ASSISTANT CHANCELLOR/ASSISTANT VICE CHANCELLOR

PRIMARY ADMINISTRATIVE POSITION EXEMPTION (36e(2))

◆ **General Function Statement**

Performs independent administrative functions and reports to Vice Chancellor/Vice President/Chancellor. Representative independent functions include but are not limited to Academic Affairs, Affirmative Action, Administrative Affairs, Health Affairs, Information Systems Services, Institutional Advancement, Research, or Student Affairs.

◆ **Organization Relationship**

Chancellor/Vice Chancellor/ Vice President
Associate Chancellor/Associate Vice Chancellor/Associate Vice President
Assistant Chancellor/Assistant Vice Chancellor/Assistant Provost/Assistant Vice President

◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Oversee designated administrative functions under direction as assigned.
2. Draft policies, procedures, and guidelines.
3. Provide support for major initiatives.
4. Address staffing issues.
5. Prepare ad hoc reports and conduct research.
6. Monitor policy by acting as approving authority.
7. Assume line responsibility for specific administration function(s).

Example 2.1a

Standard Title: ASSOCIATE VICE PRESIDENT/~~ASSOCIATE PROVOST~~/ASSOCIATE VICE CHANCELLOR/ASSOCIATE CHANCELLOR

PRIMARY ADMINISTRATIVE POSITION EXEMPTION (36e(2))

◆ **General Function Statement**

Performs independent administrative functions and reports to Vice Chancellor/Vice President/Chancellor. Representative independent functions include but are not limited to Academic Affairs, Affirmative Action, Administrative Affairs, Health Affairs, Information Systems Services, Institutional Advancement, Research, or Student Affairs.
director.

◆ **Organization Relationship**

Chancellor/Vice Chancellor/Vice President
Associate Chancellor/Associate Vice Chancellor/Associate Provost/Associate Vice President

◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Chief advisor to Chancellor/Vice Chancellor/Vice President.
2. Responsible for providing leadership for independent administrative functions as assigned.
3. Responsible for day-to-day operations and management of campus resources and activities as assigned.
4. Responsible for budget and programmatic analysis of assigned units.
5. Establish and maintain necessary control mechanisms for effective management of designated functions.
6. Undertake and carry out studies, analyses and interpretations of plans for assigned functions.
7. Participate in policy development and administration of university and campus policies related to all aspects of described functions.

Example 3.1aStandard Title: **ASSISTANT DIRECTOR****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**◆ ***General Function Statement***

Under administrative supervision, provides support to a director or other executive, serving as a staff advisor and performing professional support tasks.

◆ ***Organization Relationship***

Director/Unit Head or Other Executive/Administrator
(Associate Director)
Assistant Director
Professional Staff (Coordinators/Specialists/Managers/Analysts)
Technical, Clerical Support Staff

◆ ***Request for Exemption under Criterion:***◆ ***Typical Responsibilities***

1. Assist in the development and implementation of programs, policies and objectives related to the unit, and assist the director with overall management.
2. Participate in the development of programs, departmental objectives and long-range planning.
3. May be responsible for direct supervision of specific operational areas or functions within the unit.
4. Provide overall leadership on special projects for the director.
5. Serve as an expert in a specific area, providing reports, analyses, information, and recommendations to the director. Provides advice and expertise to campus and university units, interpreting policies of the unit.
6. May be responsible for overall leadership and coordination for program development, or administrative and financial operation of the unit.
7. Act as liaison to campus and university units and assist with evaluation of policies and compliance with them.

Example 3.1a

Standard Title: **ASSISTANT TO PRESIDENT/CHANCELLOR**

PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))

◆ ***General Function Statement***

~~Provide necessary support for performance of the President's/Chancellor's official duties.~~

◆ ***Organization Relationship***

President/
Assistant to the President/Chancellor
Other Officers

◆ ***Request for Exemption under Criterion:***

◆ ***Typical Responsibilities***

1. ~~Coordinate the responsibilities of the President/Chancellor with the other general university or campus offices.~~
2. ~~Research and analyze developing problems and prepare recommendations.~~
3. ~~Originate and prepare routine and special reports requested by Chancellor/President.~~
4. ~~Responsible for initial evaluations and, if necessary, referral of incoming letters, calls and other inquiries from internal and external constituencies.~~
5. ~~Responsible for staff support in President/Chancellor's Office.~~
6. ~~Consults with and advises President/Chancellor.~~

Example 3.1a

Standard Title: ~~ASSISTANT TO VICE PRESIDENT/VICE CHANCELLOR/
ASSOCIATE CHANCELLOR/PROVOST~~

PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))

◆ ~~General Function Statement~~

~~Provide necessary support for performance of official duties of the Vice President/Vice Chancellor/Associate Chancellor.~~

◆ ~~Organization Relationship~~

~~President/Chancellor
Vice President/Vice Chancellor/Associate Chancellor
Assistant to the Vice President/Vice Chancellor/Associate Chancellor/Provost~~

◆ ~~Request for Exemption under Criterion:~~

◆ ~~Typical Responsibilities~~

- ~~1. Coordinate the responsibilities of Vice President/Vice Chancellor/Associate Chancellor with other offices.~~
- ~~2. Researches and analyzes policy issues and prepare recommendations.~~
- ~~3. Originates and prepares routine and special reports.~~
- ~~4. Assists with special projects, functions as a troubleshooter.~~
- ~~5. Represents office at campus/university committees, as a member and/or chairperson.~~
- ~~6. Consults with and advises Vice President/Vice Chancellor/Associate Chancellor.~~

Example 3.1aStandard Title: **ASSOCIATE DIRECTOR****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**◆ ***General Function Statement***

Provides primary support to a director or other executive, and may act for and assume full direction for an office or for administrative or operational matters in the absence of the director.

◆ ***Organization Relationship***

Director/Unit Head or other Executive/Administrator
Associate Director
 Assistant Director
 Professional Staff (Coordinators/Specialists/Managers/Analysts)
 Technical, Clerical Support Staff

◆ ***Request for Exemption under Criterion:***◆ ***Typical Responsibilities***

1. Serve as primary advisory to the director regarding overall programs, management and operations of the unit, with major program development, supervision and policy-making responsibility.
2. Assist with the management of resources, determination of staff functions, and setting operating policies for the unit. Review and initiate programs and operations that commit office resources, establish policies relating to utilization of office resources.
3. Coordinate and facilitate organizational, financial, programming, and physical planning.
4. Exercise direct authority for development and administration of programs and special projects.
5. May directly supervise sections or divisions of the unit, with responsibility for setting and implementing operational policies and procedures for handling daily administrative matters, such as finances, facilities, and staffing.
6. Provide authoritative, detailed professional and technical knowledge in a relevant field of expertise.
7. Coordinate with unit sections or divisions to develop policy recommendations for the director.
8. Act as liaison to campus and university departments and represent the director on committees.
9. May have primary responsibility for day to day operations of the unit.

Example 3.1aStandard Title: **COORDINATOR****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**◆ ***General Function Statement***

Under administrative direction, the Coordinator oversees the ongoing procedures of a program, setting priorities and organizational structure. In order to execute the program goals and objectives, the Coordinator organizes the skills of diverse people, and formulates functioning groups to simultaneously assure the program's success.

◆ ***Organization Relationship***

Assistant Director/Associate Director/Director/Head of Unit or Other Administrator
Coordinator
 Support Staff/Students

◆ ***Request for Exemption under Criterion:***◆ ***Typical Responsibilities***

1. Administratively responsible for implementing program priorities, setting goals and objectives for subordinates in the ongoing process of a program.
2. Develops systematic approach and maintains efficient and effective daily workflow in an area, and submits reports as assigned.
3. Serves as an integral part of the decision-making process contributing to the goals compatible with the organizations established to implement the mission established by an employing unit or external board.
4. Provides leadership, communicates commitment and sets expectations for staff.
5. Manages human and material resources. Maintains appropriate records. Communicates and follows-up on pertinent matters.
6. Serves as a resources person, referral agent and creates links and acts as a liaison to other campus and community groups, expanding internal and external program development.
7. Formulates and recommends policies governing continual evaluation of programs. Recommends and implements changes based on the evaluations. Resolves any existing program problems.
8. Schedules, assigns, and reviews work within the program.
9. Participates in recruiting and selecting of staff members and appraising staff performance.

Example 3.1aStandard Title: **DIRECTOR****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**♦ ***General Function Statement***

Provide leadership and oversight of a major function, facility, or program.

♦ ***Organization Relationship***

Campus or University Executive or Administrator
Director
 Associate Director
 Assistant Director
 Professional Staff (Coordinators/Specialists/Managers/Analyst)
 Technical, Clerical Support Staff

♦ ***Request for Exemption under Criterion:***♦ ***Typical Responsibilities***

1. Develop and administer a comprehensive program and activities to fulfill the role of the office, function, program or organization.
2. Direct the staffing by overseeing recruitment, training, and management of work assigned to professional and support staff.
3. Oversee financial aspects of unit management, including control of the budget and allocation of resources.
4. Formulate, initiate, implement and interpret policies related to the operation of the unit, as well as policies applicable campus or university-wide.
5. Provide professional expertise and keep current with developments in the profession.
6. Provide management reports, analyses, data and information for administrative purposes.
7. Interface with advisory committees, serve on campus or University committees, communicate and consult with other offices or campus officials when appropriate.

Example 3.1a

Standard Title: **EXECUTIVE ASSISTANT TO PRESIDENT/CHANCELLOR**

PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))

♦ ***General Function Statement***

Provide necessary support for performance of the President's official duties.

♦ ***Organization Relationship***

President/Chancellor
Executive Assistant to the President/Chancellor
 Other Officers

♦ ***Request for Exemption under Criterion:***

♦ ***Typical Responsibilities***

1. Represent President/Chancellor in their absence, as requested.
2. Assist in policy development as a member of policy development committee.
3. Act as liaison between President/Chancellor and other officers (campus and/or system), Board of Trustees, legislators and other constituencies.
4. Direct or develop special analysis, background studies, and information resources as directed.
5. Draft speeches, papers, correspondence.
6. Consult with and advise President/Chancellor.

Example 3.1aStandard Title: **EXECUTIVE DIRECTOR****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**♦ ***General Function Statement***

Provide administrative leadership and oversight to a major function or program with multiple reporting components within or in collaboration with a University or campus. May be responsible for university-wide functions and may be responsible in addition for directing activities of affiliated organizations, partnerships, state or federal programs in collaboration with a campus or university.

♦ ***Organization Relationship***

Campus/University or Administrator and/or Organization Board of Directors

Executive Director

Directors

Associate/Assistant Directors

Professional Staff (Coordinators/Specialists/Managers/Analysts)

Technical, Clerical Support Staff

♦ ***Request for Exemption under Criterion:***♦ ***Typical Responsibilities***

1. Provide executive leadership to develop and administer a comprehensive program and activities to fulfill the role of the office, function, or organization.
2. Interface with Board of Directors and Advisory committees to direct collaborative efforts between other institutions, organization or projects and programs affiliated with a campus or University. Chair and convene committees and provide leadership and support to Board of Directors and advisory groups.
3. Ensure provisions of contractual agreements between campus/university and relevant outside programs or organization.
4. Oversee financial management, including control of the budget and allocation of resources. Budgets may be large and include major federal or state grants or private funds.
5. Formulate, establish and implement administrative policies applicable to the organizations, or those applicable campus or University-wide.
6. Provide professional expertise and leadership.
7. Provide management reports, analyses, data and information for administrative purposes.
8. Direct the staffing by overseeing recruitment, training, and management of work assigned to professionals and support staff.

Example 3.1a

Standard Title: PHYSICIAN
ATTORNEY
ENGINEER
ARCHITECT

PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))

- ◆ ***Position Exemption Standard for Certain Professional Titles Listed Under Criterion D Requiring Licensure by the State of Illinois – Department of Professional Regulation.***

- ◆ ***Note***

This standard applies *only* to those professional jobs which *require Licensure by the State of Illinois in a recognized profession*: i.e., Physician, Attorney, Engineer, and Architect. Other Jobs appropriate for exemption under Criterion D may be found under other Standards.

- ◆ ***Request for Exemption under Criterion: D***

Jobs whose primary function is to direct or manage members of the profession in the performance of their duties, and who are also required to possess professional Licensure should be exempted under the Criterion appropriate to the function; e.g., Medical Director of Health Service under Criterion C.

- ◆ ***Typical Responsibilities***

Duties and responsibilities are those appropriate to the recognized profession and the performance of those duties constitute the major amount of time and effort devoted to the job.

Example 3.1aStandard Title: **SPECIALIST****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**◆ **General Function Statement**

Under administrative direction, performs senior staff/professional-level duties that are devoted to a particular activity or specialized area in an employing unit. Responsibilities typically require a depth of knowledge, expertise and skills, normally gained through an advanced course of study in an academic discipline and/or work experience of a variety and depth sufficient to provide a foundation for expert knowledge and ability in a field. Responsibilities may require highly focused advanced technical, scientific, or artistic expertise, or more general intellectual, conceptual, analytical and writing skills utilizing in-depth knowledge of both a discipline and the organization.

◆ **Organization Relationship**

Assistant Director/Associate Director/Director/Head of Unit or Other Administrator
Specialist
 Support Staff/Students

◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Serve as an authority, provide expertise, and perform highly specialized work assignments in a unique area of specialization.
2. Exercise knowledge and methodology of a profession or specialized field. Keep abreast of relevant legislation, rules, regulations, tools, procedures, technical specifications, and developments in the field. Pursue professional development activities to expand knowledge and maintain currency.
3. Provide specialized services, investigate and trouble-shoot problems.
4. Plan and execute complex projects in field of expertise.
5. Analyze data and information, evaluate and summarize findings.
6. Research, conceptualize, define and communicate ideas and issues; provide insight, recommend action, and pursue solutions to problems.
7. Provide advice and counsel, serving as a “consultant” to other staff members within the unit, campus, or the general public, within the unique area of expertise.
8. Formulate policy based on judgment and expert knowledge of a particular area.
9. Identify and evaluate resources and obtain information relevant to a specialized area.
10. Coordinate working relationships with peers and other appropriate University personnel to achieve defined goals and objectives.
11. May supervise and/or train other staff members or students.
12. Represent the unit on various campus committees or teams related to the specialize area.
13. Act as liaison with other skilled specialists throughout the state and nationwide.

Example 3.1a

Standard Title: **ASSISTANT TO****PRINCIPAL ADMINISTRATIVE POSITION EXEMPTION (36e(3))**◆ **General Function Statement**

Provide high-level management support to enable the efficient performance of the official duties of a ~~S~~Senior ~~a~~Administrator, such as ~~a~~the President, Chancellor, Vice President, Vice Chancellor, Associate Chancellor, Provost or a Dean, ~~Executive~~ Director ~~/ or~~ Head of an academic or administrative unit. Responsibilities require exercising initiative, discretion and independent judgment. An Assistant To differs from an Administrative Assistant or Secretary in that an Assistant To is expected to possess a higher level of expertise in the area in which she/he supports as demonstrated through policy development and project management. Moreover, an Assistant To must possess the ability to act in an decision making capacity on behalf of the Senior Administrator at meetings and in communications as necessary.

◆ **Organization Relationship**

Senior Administrator (President/Chancellor/Vice President/Vice Chancellor/Associate Chancellor/Provost/Dean/Executive Director/Head/Chair)

Assistant To

~~{~~Professional Support Staff, Managers,
Technical Support Staff
Clerical Support Staff~~}~~

◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Coordinates responsibilities of the Senior Administrator with other offices and staff.
2. Researches and analyzes policy and operational issues, ~~prepares recommendations— and~~ Ddevelops and recommends administrative policies and procedures.
3. Coordinates and implements policy decisions.
4. Originates and prepares routine and special reports and studies.
5. Oversees or conducts special projects, functions as a trouble-shooter.
6. Represents Senior Administrator office/administrator ~~on at~~ campus/university committees ~~and at~~ meetings and correspondence.
7. Consults with and advises the Senior aAdministrator.
8. Orchestrates administrative support and general management for the unit or program- and Pparticipates in long-range planning and goal-setting activities.
9. May direct the day-to-day operational requirements of the unit or program, including overseeing various functions under the jurisdiction of the Senior aAdministrator, such as development, public relations, finance, budgeting, and staffing matters. May supervise middle managers and upper-level supervisory personnel, such as Project Directors or Business Managers.

Example 3.1a

10. Investigates issues, consults with involved parties, and provides advice regarding various options for action.
11. Handles a variety of sensitive and confidential assignments and projects on behalf of the [Senior](#) Administrator.
12. Consults with [and advises](#) senior campus and university officials to determine a course of action.
13. Conceives and administers special programs and projects under the direction of the [Senior](#) Administrator.

Example 4.1aStandard Title: **ARCHEOLOGIST****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**♦ ***General Function Statement***

Archeologists conduct field and laboratory investigations, make independent determinations of the significance of archeological sites, and develop recommendations for testing and salvage mitigation involving expenditure of public and private funds.

♦ ***Organization Relationship***

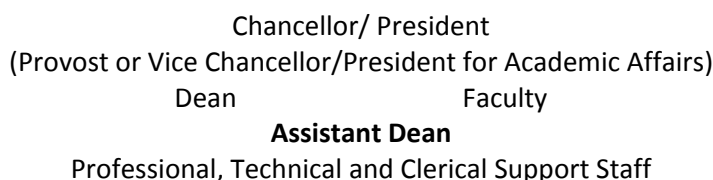
Director, Unit Head or Other Executive/Administrator
 Associate Director/Assistant Director
Archeologist
 Technical, Clerical Support Staff

♦ ***Request for Exemption under Criterion: D***♦ ***Typical Responsibilities***

1. Conduct archeological investigations and make determinations of the significance of archeological resources in areas to be impacted by development projects.
2. Recommend additional mitigation, curation of materials and records, library and archeological records research.
3. Formulate test excavations and evaluate material recovered from excavation sites to provide information upon which to evaluate site significance.
4. Determine whether or not further work is required which involves the expenditure of public or private funds.
5. May serve in leadership capacity; e.g., Senior Archeologist, functioning as a project director, with responsibility for supervision of lower-level Archeologist.

Example 4.1aStandard Title: **ASSISTANT DEAN****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**◆ ***General Function Statement***

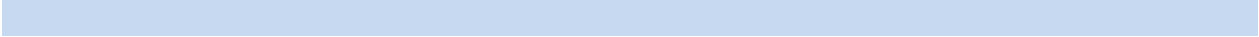
The Assistant Dean provides administrative support of a dean or associate dean, and may direct the operations of an office or program within the unit. The Assistant Dean may be responsible for a wide range of support services or may focus on a specialized area. The Assistant Dean provides leadership and exercises independent judgment.

◆ ***Organization Relationship***◆ ***Request for Exemption under Criterion:***◆ ***Typical Responsibilities***

1. Administrative affairs, such as assisting in general administrative planning and resource allocation; providing administrative assistance to the dean; overseeing financial and business services, financial management, budget preparation, control of funds; overseeing personnel, space, and equipment management and operational policies and procedures; developing annual and ad hoc reports, maintaining data base and providing expertise, analysis and interpretation of studies and data to develop and establish policy; representing the office on standing or selected ad hoc committees.
2. Academic affairs, such as implementing academic policy; overseeing the curriculum; assisting with accreditation review documentation; coordinating with other units; managing course catalogs, timetables, examination schedules; preparing program proposals for the IBHE or the Vice Chancellor/President for Academic Affairs; providing leadership for continuing education programs, workshops, seminars. May teach and pursue independent scholarly research.
3. Research activities, such as overseeing contracts and grants review, negotiation and approval; coordination of interdisciplinary research programs; integrating research programs with academic programs.
4. Student services, such as monitoring student progress, enforcing academic standards, reviewing petitions, and appeals; providing academic counseling and remedial programs; overseeing placement programs for residencies, fellowships, and internships with affiliated institutions; directing career placement and graduate placement services; acting as advocate for student concerns and needs with the faculty and administration.
5. External affairs and development, such as acting as liaison with outside agencies and industry; developing outreach efforts, special projects, conferences; preparing brochures and

Example 4.1a

publications representing the academic unit; responsibility for alumni relations and annual fund raising efforts.



Example 4.1aStandard Title: **ASSISTANT DEPARTMENT HEAD/CHAIR****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**◆ **General Function Statement**

Under administrative supervision, provides support to a department head/chair, serving as a staff advisor and performing professional support tasks.

◆ **Organization Relationship**

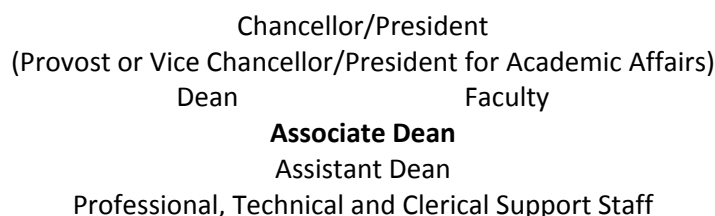
Department Head/Chair Faculty
 (Associate Department Head/Chair)
Assistant Department Head/Chair
 Professional, Technical, and Clerical Support Staff

◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Assist in the development and implementation of programs, policies and objectives related to the unit, and assist the department head/chair with overall management.
2. Participate in the development of programs, departmental objectives and long-range planning.
3. May be responsible for direct supervision of specific operational areas or functions within the unit.
4. Provide overall leadership on special projects for the department head/chair.
5. Serve as an expert in a specific area, providing reports, analyses, information, and recommendations to the department head/chair. Provides advice and expertise to campus and university units, interpreting policies of the unit.
6. May be responsible for overall leadership and coordination for program development, or administrative and financial operation of the unit.
7. Act as liaison to campus and university units and assist with evaluation of policies and compliance with them.

Example 4.1aStandard Title: **ASSOCIATE DEAN****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**◆ **General Function Statement**

The Associate Dean provides administrative support of a dean who is the chief executive officer of an academic unit engaged in instruction or research, or a major unit engaged in a programmatic aspect of the campus/university mission. Exercises independent judgment, and handles a highly diversified mixture of responsibilities in one or several specialized areas. May represent or assume authority for the unit in the absence of the dean.

◆ **Organization Relationship**◆ **Request for Exemption under Criterion:**◆ **Typical Responsibilities**

1. Administrative affairs, such as evaluating, formulating, and implementing policy for allocation and utilization of resources; responsibility for facilities and space utilization, administering activities for recruiting and hiring faculty and staff; formulating fiscal policies, developing procedures and systems for budget review and expenditure control; advising and working with department or unit heads to establish and implement policies and procedures relating to the unit/campus/university; serving on campus-wide committees.
2. External affairs, such as coordinating and strengthening relationships with corporations, foundations, federal and state funding agencies, alumni, parents, the media, and the general public; acquiring external funds for facilities and major equipment; developing agreements with external institutions relating to academic and research programs.
3. Research and academic affairs, such as conceptualizing and developing long range and strategic plan; developing and evaluating the curriculum, overseeing accreditation and certification requirements; stimulating research; supervising collaborative education or research programs. May teach and/or pursue independent scholarly research.
4. Student services, coordinating recruitment, admission and retention programs, overseeing student support services and student life programs.

Example 4.1aStandard Title: **ASSOCIATE DEPARTMENT HEAD/CHAIR****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**♦ ***General Function Statement***

Provides primary support to a department head/chair, and may act for and assume full direction for an office or for administrative or operational matters in the absence of the department head/chair.

♦ ***Organization Relationship***

Department Head/Chair	Faculty
Associate Department Head/Chair	
Assistant Department Head/Chair	
Professional, Technical, and Clerical Support Staff	

♦ ***Request for Exemption under Criterion:***♦ ***Typical Responsibilities***

1. Serve as primary advisory to the department head/chair regarding overall programs, management and operations of the unit, with major program development, supervision and policy-making responsibility.
2. Assist with the management of resources, determination of staff functions, and setting operating policies for the unit. Review and initiate programs and operations that commit office resources, establish policies relating to utilization of office resources.
3. Coordinate and facilitate organizational, financial, programming, and physical planning.
4. Exercise direct authority for development and administration of programs and special projects.
5. May directly supervise sections or divisions of the unit, with responsibility for setting and implementing operational policies and procedures for handling daily administrative matters, such as finances, facilities, and staffing.
6. Provide authoritative, detailed professional and technical knowledge in a relevant field of expertise.
7. Coordinate with unit sections or divisions to develop policy recommendations for the department head/chair.
8. Act as liaison to campus and university departments and represent the department head/chair on committees.
9. May have primary responsibility for day to day operations of the unit.

Example 4.1aStandard Title: **DEAN****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**♦ ***General Function Statement***

The Dean functions as the chief executive officer of a major unit engaged in programmatic aspect of the Campus/University mission. Responsible for administration and execution of the unit's policies.

♦ ***Organization Relationship***

Chancellor/President
Provost or Vice Chancellor/President
Dean
Associate and Assistant Deans

♦ ***Request for Exemption under Criterion:***♦ ***Typical Responsibilities***

1. Provide leadership, direction, and overall administration for the development, coordination, and implementation of programs, activities, and professional services.
2. Formulate, initiate, implement, and interpret policies relating to the operation of the units.
3. Establish goals and objectives for the units reporting to the Dean's Office.
4. Responsible for planning, evaluation, staffing, and resource allocation for all units reporting to the Dean's Office.
5. Communicate with and serve as a resource to colleges, departments, campus offices, community organizations, regarding services and issues.
6. Serve on committees as assigned.

Example 4.1aStandard Title: **DEPARTMENT HEAD/CHAIR****ACADEMIC/RESEARCH POSITION EXEMPTION (36e(4))**◆ ***General Function Statement***

Responsible for the administration and execution of policies of a department or unit engaged in a programmatic aspect of the campus/university mission.

◆ ***Organization Relationship***

Chancellor/President
Provost or Vice Chancellor/President
Dean
Associate and Assistant Deans
Department Head/Chair

◆ ***Request for Exemption under Criterion:***◆ ***Typical Responsibilities***

1. Provide leadership, direction, and overall administration for the development, coordination, and implementation of programs, activities, and professional services.
2. Formulate, initiate, implement, and interpret policies relating to the operation of the units.
3. Establish goals and objectives for the department/unit.
4. Direct the staffing by overseeing recruitment, training, and management of work assigned to professional and support staff.
5. Oversee financial aspects of unit management, including control of the budget and allocation of resources.
6. Interface with advisory committees, serve on campus or University committees, communicate and consult with other offices or campus officials when appropriate.

REQUEST TO REVISE CLASSIFICATION SPECIFICATION/EXAMINATION

I. Authority Submitting Request:

(Name of authority submitting request – DER, Advisory Committee, employee group representative, etc.)

(Institution or Representative Group)

(Date)

II. Action Requested (Check one or more of the following):

- ☐ Delete classification
- ☐ Add new classification or classification series
- ☐ Revise classification examination
- ☐ Revise classification specification
- ☐ Revise promotional line
- ☐ Other (specify)

If applicable, list the classifications to be affected by proposed revision:

III. Explanation of Need for Proposed Action

IV. Supplemental Information

A. Positions potentially affected by requested action:

Number of Positions

Classification

_____	_____
_____	_____
_____	_____

B. Departmental officials contacted regarding the proposal:

1. _____ (individual)	3. _____ (individual)
_____ (position)	_____ (position)
_____ (department)	_____ (department)
2. _____ (individual)	4. _____ (individual)
_____ (position)	_____ (position)
_____ (department)	_____ (department)

C. Union Representatives contacted regarding the proposal:

1. _____ (individual)	2. _____ (individual)
_____ (position)	_____ (position)
_____ (bargaining unit)	_____ (bargaining unit)

D. Other State Universities Civil Service System employers contacted regarding the proposal:

1. _____ (individual)	_____ (employer)
_____ (position)	2. _____

(individual)

(position)

(employer)

E. Outside institutions or agencies contacted regarding the proposal:

1. _____
(individual)

(position)

(institution or agency)

2. _____
(individual)

(position)

(institution or agency)

F. Additional Information and Supporting Documentation

(Please provide detailed information regarding the proposed action, which may include specific information on any component of the classification specification or examination such as title, work description/function/duties, minimum acceptable qualifications, credential requirements, probationary period, or any specific test component)

Insert letterhead

**INSTRUCTIONS FOR COMPLETION OF FORM 1.2a -
REQUEST TO REVISE CLASSIFICATION SPECIFICATIONS/EXAMINATIONS**

The following instructions are intended to assist in the preparation and submission of requests to revise classification specifications and/or examinations.

General Instructions:

1. Complete all parts of the form. If some aspects are not applicable to your request, write "N/A" in that section.
2. Answer all pertinent questions and give special attention to providing a full explanation of the request and the specific details of the action to be taken.

Specific Instructions:

Section I - Authority Submitting Request

The signature of the DER, member(s) of the State Universities Civil Service Advisory Committee, other designated advisory groups or union representatives, shall be submitted with the proposal to the University System Office.

Section II - Actions Requested

Please check one or more of the appropriate actions to be taken, and list the classifications affected if applicable.

Section III - Explanation of Need for Proposed Action

Provide a comprehensive explanation and justification for proposed action, such as when new technology is available that greatly impacts the performance of duties for a classification or when a new certification has been issued for applicants to qualify for a classification.

Section IV- Supplemental Information

- A. Please provide information on the number of positions potentially affected by this change and the current classification designation of those positions.
- B. List departmental and union representatives who were consulted in preparation of this request.
- C. List union representatives who were consulted in preparation of this request.
- D. List other institutions or agencies in the State Universities Civil Service System who were contacted in preparation of this request.
- E. List outside institutions, agencies, or persons (such as Illinois Department of Professional Regulation, Illinois Department of Public Health, accrediting agencies, or industries) who were consulted in preparation of request.
- F. Most importantly, please detail every specific component of the action to be taken. Attach articles from occupational journals and other publications that may help to explain the request more fully.

Request for Student Appointment Exception

Definition: Section 250.70(f)(3) of the Illinois Administrative Code (Code) (80 Ill. Adm. Code §250.70(f)(3)) defines a student employee as one who is registered for course work at an institution served by the University System for at least one-half of the normal course load, as established by the institution, of a regularly enrolled full-time student. Section 250.70(f)(3) of the Code allows for an exception to be granted by the Executive Director if the student is enrolled for less than half-time for a semester when sufficient cause is shown. See section 2.9 of the Employment and Separation Procedures Manual, Student Appointments.

Please provide the following information (please print):

Student's Name _____

Institution Requesting Exception _____

Employment Location _____

Semester of appointment (fall, spring, summer) _____

Current hours enrolled _____ Date of anticipated graduation _____

Has student received any previous exceptions? Please list. _____

Justification for exception _____

Submitted by: _____
(Designated Employer Representative)

Date: _____

☐ Approved ☐ Denied

Executive Director, or designee

Date

Note: Attach any supporting documentation.

Send completed form to: **STATE UNIVERSITIES CIVIL SERVICE SYSTEM, 1717 Philo Road, Suite 24, Urbana, IL 61802-6099**

Position Description Form

University/Agency: _____

Prepared by: _____

Title: _____ **Date:** _____

University/Agency Position Title: _____

Exemption Category: ☐ 36e(2) ☐ 36e(3) ☐ 36e(4)

General Exemption Title: _____

Primary Position Function/Summary:

Major Duties & Responsibilities: *(List in descending order of importance)*

Organizational Chart: (Please provide a brief organizational chart showing to whom this position reports as well as the job title(s) of those persons reporting to this position.)

Position Requirements and Qualifications:

Education:

Training (Licenses, Programs, Certificates):

Knowledge Requirements:

Experience:

Other Information/Requirements:

Approved by: _____ Date: _____
(Institutional Authority – Name/Title)

Approved by: _____ Date: _____
(Designated Employer Representative)

Form 7.1a

Quarterly Employee Change Report Civil Service to PAA

Name of Institution: _____ Date: _____

Person Completing Report: _____ Phone: _____
Email: _____

Please complete for each Civil Service employee who has taken a PAA position.

*Employee's Name: _____
(See Note below.)

Date of Change: _____

Previous Civil
Service Classification: _____

*Department/Unit: _____
(See Note below.)

Exemption Title: _____

Exemption Category: _____

*Department/Unit: _____
(See Note below.)

Please describe the reason for change, i.e., fill new position, promotion, etc.

Was the "old" Civil Service position filled? _____ Yes _____ No
If Yes: Employee Name _____ Start Date: _____

If the "old" Civil Service position was not filled, please explain status of the position (position canceled, downgraded to lower classification, etc.).

Signature of Designated Employer Representative: _____

*** Note:** Prior approval of the Director is required when changing a current civil service position to PAA exempt position in the same organizational unit as well as when a current civil service employee is to be employed in a PAA exempt position in the same organizational unit. See PAA Procedures Manual, Section 1.2 for details.

Employer:				
For Quarter Ending:	3/31	6/30	9/30	12/31
	(Circle Quarter)			

CERTIFICATION

This is to certify that the above employer has implemented and is conducting a cyclic review program for exempt employees wherein all exempt jobs are reviewed for currency of job content and title no less often than once every three years.

Submitted by: _____
(Designated Employer Representative)

Date: _____

Section 1 – Classification Specification and Examination Maintenance

1.1 OVERVIEW

The University System Office has been delegated the authority and direct responsibility to manage all aspects of the classification plan, including the maintenance of written specifications and examination materials for each class title in the classification plan. Accordingly, the University System Office shall routinely make revisions and changes to the classification plan based on standard classification plan management principles and objectives. Other University System employers and/or constituency groups can formally submit proposals for classification plan revisions to the Executive Director in accordance with procedural standards.

Each classification shall have written Specifications that typically include:

- a. the class title;
- b. the class code;
- c. a general statement of position function;
- d. a listing of characteristic duties and responsibilities;
- e. a listing of minimum acceptable qualifications, including any special licenses or certificates required by state or federal laws, and;
- f. a listing of additional desirable qualifications.

Each classification shall have a corresponding examination, with a designated probationary period considered as the final examination component. Examinations consist of one or more of the following components:

- a. performance/aptitude questions
- b. essay/written questions
- c. review/rating of credentials (education/experience and license/certificates)
- d. skills measurement, such as a keyboarding test
- e. physical ability assessment
- f. conscientiousness assessment
- g. personality characteristic assessment
- h. oral interview and presentation

This manual is intended to provide information on the administration and development of classification specifications and examinations, including the process for submission of proposed revisions by employers and/or constituency groups, the overall classification plan management process, and related communication protocols. All classification specification/examination revisions and proposals for revisions are reviewed by the Executive Director, and subject to Merit Board review.

Section 1 – Classification Specification and Examination Maintenance

1.2 SUBMISSION OF PROPOSED REVISIONS

A University System employer, designated advisory group, an employee in conjunction with the State Universities Civil Service Advisory Committee, or employee representative groups may submit a proposal to revise the classification plan.

Proposals to revise the classification plan shall be formally drafted utilizing Form 1.2a – Request to Revise Classification Plan and must be submitted to the University System Office for review. Detailed instructions for the completion and submission of Form 1.2 are attached to the form.

Proposals that affect, or may affect, employees who are members of a collective bargaining unit with whom the employer conducts negotiations *shall contain certification by the Designated Employer Representative (DER) that appropriate union officials have been officially informed of the proposal at the time of submission to the University System Office.*

The Merit Board has delegated to the University System Office, and its Executive Director, the responsibility and authority to administer the classification plan, which includes a standard review and assessment process. These standard administrative reviews and assessments are conducted with assistance from each employer in conjunction with designated human resource officials, department administrators (other subject matter experts), various advisory groups, and various employee representatives and may result in periodic classification plan modifications. These routine University System Office modifications are not subject to this formal change request process.

The University System Office will provide proper notification of proposed classification plan revisions and any final action taken regarding such proposals. Example 1.2b – Notice of Proposed Classification Plan Revision and Example 1.2c – Final Status Notice of Classification Plan Revision provide a sample of the basic classification plan revision notices.

Classification plan activities, including class reviews, proposals, and various formal notifications can be accessed and tracked at the State Universities Civil Service System website, <http://www.sucss.state.il.us/>.

Section 1 – Classification Specification and Examination Maintenance

1.3 CLASSIFICATION SPECIFICATION AND EXAMINATION DEVELOPMENT PROCESS

General Outline

- I. Review of current and other related class specifications/examinations and other resources
 - A. University System Office review
 - B. External occupational research
 - C. Subject matter expert review
 - D. Examination analysis
 - E. Test item analysis
- II. Job Analysis
 - A. New Classifications
 - B. Current/Existing Classifications
 - C. Electronic presentation (E-Test)
 - D. Special-case job analysis procedures
- III. Evaluation of Job Analysis
 - A. Identify work tasks/duties, skills required, establish importance and frequency, set minimum qualifications
 - B. Additional occupational research
- IV. Class Specification and Examination Preparation
 - A. Create Class Specification
 - B. Create Examination Instrument Using Skill Set Matches
- V. Class Specification and Examination Review Meeting
 - A. Meeting scheduled
 - B. Review draft class specification changes
 - C. Review draft examination materials
 - D. Modify and set effective date
- VI. Examination Pre-Testing
 - A. Pre-testing of examination components
 - B. Statistical analysis of pre-test results
 - C. Collection of additional information from incumbent/subject matter experts
 - D. Item seeding
 - E. Security and distribution of pre-test results
- VII. Validity
 - A. Content validity established by incumbent pre-test examination scores/passing rate.
 - B. Criterion validity established by successful completion of the probationary period.

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- C. Additional validity measures may be established by correlating test scores with objective or subjective indicators of job performance.
- D. Small samples and meaningful index reviewed.

Summary of Classification/Examination Development Process

The Executive Director or designee within the University System Office will evaluate formally submitted proposals to assess the credibility of the criteria cited as justification on the submitted request. Formally submitted proposals may be returned for additional information or rejected.

There are many reasons to justify a proposed change to the classification plan, including but not limited to, the following:

- routine occupational changes
- adverse impact issues
- business or operational changes
- reaction to previous proposals
- specific changes or evolution of job classification duties
- technology changes related to overall position function
- discontinuation of specified job activities

Accordingly, University System Office staff may utilize the following analytical steps, as necessary, in their review of all proposed classification plan modifications, regardless of origination source (initiated by an employer, an employee through the State Universities Civil Service Advisory Committee, other designated advisory groups, union representatives, or the University System Office).

- I. **Review of current and other related classification specifications/examinations and other resources**
 - A. The System Office will review current class specification/examination, considering the date of the last review and the format of the specification/examination.
 - B. The System Office will research external resources related to similar job classifications and appropriate occupational areas to review the latest occupational trends and specific job or job group content.
 - C. Various subject matter experts will be enlisted to provide direct occupational background information and begin analysis of examination instrument.
 - D. The examination instrument review will include the following:
 - 1. A review of the skill set link and question pools used in the current examination.

Section 1 – Classification Specification and Examination Maintenance

2. Update/addition of questions to incorporate new occupational trends/technology.
 3. Verification of accuracy of answers.
 4. Identification of problem questions or questions that are likely to be challenged.
- E. Each test item will be analyzed using classical reliability theory and, where appropriate, item response theory (IRT). Classical reliability statistics become mostly stable with samples of 50-60. IRT-based analyses are only appropriate when the number of test-takers is much greater, with minimum samples of about 200 test-takers. IRT postulates a function (item response function, or IRF) relating the probability of a correct response for an item to an underlying level of ability, thus making considerably stronger assumptions about the data, necessitating more power to estimate the model. Therefore, the following statistics are most reliable with samples greater than 30. With smaller samples, subjective item difficulty ratings will be collected at pre-testing (see *Section 1.3 VI C 2*).
1. Classical reliability statistics
 - a. Mean: Proportion of test-takers who correctly answer the item. This is an indicator of item difficulty.
 - b. Corrected Item-Total Correlation (CITC): The correlation between the item responses and the total test score (minus the studied item). This is an indicator of how well the item measures the characteristic assessed by the test.
 - c. Cronbach's Alpha: This is a measure of internal consistency reliability. In general, high values are desirable (in general, .80 minimum, .90 preferred). This means that the items on the test "hang together" well, or have high item inter-correlations. Alpha is a lower bound for the true reliability of the test under reasonable assumptions.
 - d. In cases where Cronbach's alpha is not the most appropriate index of reliability, other reliability evidence may be used (i.e., test-retest, alternate forms, etc.; cf. Traub, 1994).
 2. Item response theory statistics
 - a. a-parameter: Item discrimination: This indicates how well the item discriminates between test takers of differing levels of ability. Related to the CITC.
 - b. b-parameter: Item difficulty: Higher b's are more difficult items, meaning that test-takers have to have a higher level of ability to have a high probability of answering correctly. Related to the item mean.
 - c. c-parameter: Pseudo-guessing parameter. This is the lower asymptote of the IRF, indicating the probability that a test-taker with extremely low ability will answer the item correctly.

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- d. Information: Information is the IRT analogue of reliability. It is a function of the item parameters and ability. It is additive, such that the information function for a test is equal to the sum of the information functions for the individual items. For a large enough number of items, test information is approximately the reciprocal of the standard error of the ability-estimate. Therefore, conditional standard errors of measurement can be calculated at all levels of ability, allowing the precision of measurement to be differentially assessed across the ability continuum. Additionally, information can be used to build tests, by incorporating items so that the sum of their information functions closely matches a target information function.
3. Items with undesirable statistical properties will be eliminated or revised. Undesirable properties are generally defined to be item means above .90 or below .10 and CITC below .20. These rules-of-thumb may be modified in specific cases.

II. **Job Analysis**

A. New Classifications

1. When proposing to add a new classification, the System Office will review the proposed classification specifications, and any related position descriptions. This information will be compared to other similar occupational jobs in the current classification system. Additional occupational research will be conducted using appropriate resources such as the Occupational Information Network (O*NET).
2. Based on this research, the System Office will develop and administer an appropriate job analysis survey as applicable, such as the Computerized Job Analysis Survey Instrument (C-JASI), to subject matter experts in order to determine the most appropriate duties and functions to be contained in the new classification, along with the knowledge, skills and abilities (KSAs), necessary to successfully perform those duties and functions. This will assist in clarifying the new position specifications and identify the necessary skill set elements for the examination.
3. Job analysis surveys, or C-JASI, will be administered through a secure website and the results will be stored on a secure server. All information collected will be securely stored and maintained.

B. Current/Existing Classifications

1. When updating or revising existing classification, the System office will begin with a review of current position descriptions and the proposed new classification specifications. This information will be compared to other similar occupational jobs in the current classification system.

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Additional occupational research will be conducted using appropriate resources such as the Occupational Information Network (O*NET).

2. Based on this research, the System office may develop and administer C-JASI to current incumbents, supervisors, and departmental administrators to evaluate the congruence of the proposed specification and the work actually being performed. Other analytical procedures, such as a the collection and review of job descriptions, may also be utilized. This information will be used to establish the relationship between the current position duties and responsibilities under review and the proposed specification, along with the KSAs required to perform those duties.
 3. C-JASI will be administered through a secure website and the results will be stored on a secure server. All information collected and statistical analysis will be securely stored and maintained.
- C. Limited job analysis techniques will typically be conducted when paper-based exams are simply being converted to an electronic delivery format (E-Test). This process may include the simple steps of confirming with supervisors and administrators that duties for the classification have remained intact and unchanged.
- D. In special cases, other job analysis techniques may be used, such as onsite focus group interviews with job incumbents and/or supervisors, direct observation of incumbents performing work tasks, critical incidents studies, among other techniques (cf. Gatewood & Feild, 2001). Copies of all materials and information collected will be securely stored and retained.

III. Evaluation of Job Analysis

- A. C-JASI will be used to identify work tasks and duties currently performed by employees in the designated classification, as well as the importance and frequency of these tasks. For classifications where a knowledge test may be used, participants will also indicate what skills are necessary to perform each task.
1. Statistics reported are demographic information for the surveyed groups, mean importance/frequency ratings for tasks in the overall sample and by group, and mean importance rating for KSAs in the overall sample and by groups, where applicable. Percent endorsements for specific educational and work experience are also reported.
 2. The results will provide an empirical linkage between duties performed on the job and examination items. Linkage is established by tying specific job tasks/duties to specific KSAs. Items may then be written to assess the KSAs needed to perform the job.

Section 1 – Classification Specification and Examination Maintenance

3. In some cases, items will be written to assess performance directly for specific duties for the classification, rather than KSAs needed to perform those duties.
 4. Information regarding minimum qualifications will also be obtained to update the class specification, as well as guide the development of credential assessments, when applicable. These minimum qualifications are based on subject matter expert endorsement of specific educational and work experience backgrounds needed for the job and/or specific credentials needed to perform the job.
- B. Additional research, via the Internet or other information sources, may be conducted.

IV. Class Specification and Examination Preparation

- A. Class Specification
1. Based on results of the review of job descriptions and/or C-JASI data, and/or in conjunction with the acceptance of the Request to Develop or Revise Class Specifications/Examinations, a draft class specification will be prepared, outlining the general function, specific duties/responsibilities and minimum acceptable qualifications.
 2. The proposed class specification will be distributed to employers for their review and comments, prior to the Class Specification and Examination Review Meeting.
- B. Examination
1. To ensure validity, a draft examination will be prepared, based on the statistical analysis of the position descriptions and/or C-JASI. This will include a review/analysis of work tasks and duties currently performed by employees in the designated classification, the importance and frequency of these tasks, and the KSAs required to perform those tasks. Examination instruments may include one or more of the following components:
 - a. performance/aptitude questions
 - b. essay/written questions
 - c. review/rating of credentials (education/experience and license/certificates)
 - d. skills measurement, such as a keyboarding test
 - e. physical ability assessment
 - f. conscientiousness assessment
 - g. personality characteristic assessment
 - h. oral interview and presentation

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2. In certain test environments, new test items may be “seeded”. Seeded items are those items that are pre-tested in live test forms. Seeded items are not scored and do not count towards or against the final test score. Test-takers are blind to which items are seeded and which are live. Seeded items are properly analyzed prior to their active use in any test environment.
3. In certain test environments, test item subject content pools will be established and categorized based on established analytical procedures. Each examination administered will equally draw from the appropriate test item pools to establish a consistent distribution and reliability across all examinations given in any one classification. Test items will randomly be presented when possible. Correct answer designations for each test item will also be randomly presented when possible.

V. Class Specification and Examination Review Meeting

- A. Upon completion of the research and analysis as described above, along with a draft of the new or revised specifications and/or examination instrument, a review meeting will be scheduled. In most instances, System Office staff, Designate Employer Representatives/ Human Resources, subject matter experts, and Union Representatives will be notified and asked to participate.
- B. Participants will be asked to review the draft class specifications.
- C. Participants will be asked to review the draft examination materials.
- D. If necessary, modifications will be made to draft documents with final specifications/examination instruments adopted. At this time, the effective date of implementation will usually be determined.
- E. Prior to the finalization of the class specification/examination process, a secondary review by each employer shall determine whether the proposals will affect employees who are members of bargaining units and shall officially inform appropriate union officials of the proposal. DERs shall certify to the University System Office that union officials have been informed of the proposal as a part of their written comments. Comments received as a result of the proposal shall be reviewed by the Executive Director or designee, who may approve, disapprove, or return the proposal to its originator for resolution of issues raised.

Note: Once the review meeting is conducted and all information collected, only basic editorial corrections to the class specification and/or examination will be considered.

VI. Examination Pre-Testing

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- A. In most instances, the proposed new examination instrument will be pre-tested, using current incumbents in the classification. This will typically be done via the E-Test system.
- B. The pre-test results will be statistically analyzed to establish content and criterion validity.
 - 1. Items with undesirable measurement properties will be eliminated.
 - 2. It is expected that incumbents will score more highly on average than applicants (due to range restriction), so that the definition of undesirable item statistics (*from Section 1.3 I B 4*) will be different. It is not unreasonable for all incumbents to get an item right, so item means of .90 and above on pretests are acceptable. However, items with means below .50 do merit further consideration and will be more discretely analyzed.
- C. Additional information about individual test items will be collected from incumbents or subject matter experts. This information includes item appropriateness for the examination and subjective item difficulty information.
 - 1. Item appropriateness ratings can be used to calculate content validity ratios (CVRs; Lawshe, 1975). CVRs provide evidence that the examination validly assesses KSAs appropriate to the classification. $CVR = (n - N/2) / (N/2)$, where:
 - a. n = the number of respondents who regard the question as relevant to the target position
 - b. N = the total number of respondents
 - 2. Subjective item difficulty ratings will be used to evaluate the difficulty of items when samples are too small to estimate item means or b-parameters (i.e., samples less than 30).
- D. As new items become available, they will be “seeded” as defined in *Section IV, B(2)* above.
- E. The results of the pre-test will be stored on a secure server and shared with participating employers. All information collected will be securely stored and maintained.

VII. Validity

- A. Content validity is established through job analysis techniques and the pre-testing passing rate of incumbents, as described above. This process provides a statistical link between the test elements and the behaviors and/or work product components of the job.
- B. In most cases, criterion validity will be established by the passing rate for the probationary period for the classification.
- C. In some rare cases, criterion validity will be established by correlating test scores with objective or subjective indicators of job performance. This will be

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done only when sample sizes are large enough (e.g. $N > 60$) and when sufficient performance related information is available.

- D. In some cases (e.g., $N < 30$) samples are too small for any meaningful index of criterion-related validity to be established.

Exception: A proposal may be approved prior to circulation if the Executive Director identifies an immediate need for its use. All employers and members of the State Universities Civil Service Advisory Committee will subsequently be notified.

References

Gatewood, R. D., & Field, H. S. (2001). *Human Resource Selection* (5th Ed.). Mason, OH: South-Western Thomson Learning.

Lawshe, C. H. (1975). A quantitative approach to content validity. *Personnel Psychology*, 28, 563-575.

Traub, R. E. (1994). *Reliability for the social sciences: Theory and applications (Volume 3)*. Thousand Oaks, CA: Sage Publications, Inc.

Section 1 – Classification Specification and Examination Maintenance

1.4 IMPLEMENTATION AND POSTING OF CLASS SPECIFICATIONS AND EXAMINATIONS

a. Implementation

1. Employers will be notified of the any final action regarding the classification plan, both specification and examination changes, through a Final Status Notice (*See Example 1.2c*).
2. The System Office shall electronically distribute new, revised, or reinstated specifications prior to the effective date of implementation.
3. All examinations created or revised after October 2005 will be electronically administered via the E-Test system.

The Final Status Notice will indicate specifically how the following procedures shall apply in the implementation of the new or revised specifications/examinations:

Change-In-Title Policies

In most instances, affected positions should be identified and collectively moved simultaneously to the appropriate new, revised or reinstated classifications. Use of Change-In-Title Policies to facilitate this move will be provided as a part of the Final Status Notice. For additional details related to the use of Change-In-Title Policies, see Section 3 of the Classification Procedures Manual.

Voiding/Deleting Registers

The employment registers for the new, revised or reinstated class titles should be voided or deleted, as directed on the Final Status Notice, at the close of business, one (1) day prior to the effective date. All examination materials related to these class titles should be destroyed. The new, revised or reinstated classification specifications and examination materials for the new, revised or reinstated class title will be available for use before or on the effective date specified on the Final Status Notice.

Pay Rate/Ranges

If necessary, employers should make adjustments to or establish new pay rates/ranges to accompany the changes outlined in the Final Status Notice. In some instances, establishing a wide pay range will optimize the opportunity of each employer to properly reflect their individual compensation programs for these positions.

Seniority

Dependent upon on classification actions, seniority calculations should be reviewed.

b. Posting

Employer notification of a new, revised or reinstated class specification and examination, together with a copy of the class specification, shall be posted for ten calendar days prior to

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the filling of any positions in the new, revised or reinstated class title, at each place of employment where the class will be used.

Draft

Section 1 – Classification Specification and Examination Maintenance

1.5 DELETION OF CLASS SPECIFICATIONS AND EXAMINATIONS

The University System Office will periodically review the use of the class management plan and related exam materials throughout the System, to determine which class titles are not currently in use and/or are not heavily utilized. Consequently, the University System Office may propose the deletion of unused classifications and related examination materials upon such review. DERs, members of the State Universities Civil Service Advisory Committee, and other designated advisory groups will be notified of any proposed deletion in accordance with notification protocols established in *Section 1.2* of this procedure. Accordingly, unless a request for retention of class titles and related exam materials is received, the proposal will be implemented and the named classification(s) deleted.

EXEMPTION PROCEDURES MANUAL

Section

- 1 **General Overview of Exemption from State Universities Civil Service System**
 - 1.1 Overview
- 2 **Primary Administrator Exemptions (President, Chancellor, Agency Executive Director)**
 - 2.1 Primary Administrator Appointments
 - Example 2.1a Common Primary Administrative Position Exemption Titles (36e(2))
- 3 **Principal Administrative Appointments**
 - 3.1 Principal Administrative Appointments
 - Example 3.1a Authorized Principal Administrative Position Exemption Titles (36e(3)) and Standards
- 4 **Teaching, Research, and Extension Faculty Exemptions**
 - 4.1 Teaching, Research, and Extension Faculty Appointments
 - Example 4.1a Common Academic/Research Position Exemption Titles (36e(4))
- 5 **Student Appointment Exemptions**
 - 5.1 Student Appointments
 - Form 5.1a Request for Student Appointment Exception Form
- 6 **Accountability for Exemption Authorization**
 - 6.1 Accountability Program
 - 6.2 Internal Review
 - 6.3 System Office Review
 - Form 6.3a Position Description Form
 - 6.4 Merit Board Review
 - 6.5 Remedial Process
- 7 **Quarterly Reporting Requirements**
 - 7.1 Reporting Requirements
 - Form 7.1a Quarterly Employee Change Report
 - Form 7.1b Quarterly Report of Exempt Employees
- 8 **Other Related Actions**
 - 8.1 Temporary Assignment of Civil Service Employee to a Civil Service Exempt Position
 - 8.2 Changing an Exempt Position to a Civil Service Position